California Journal

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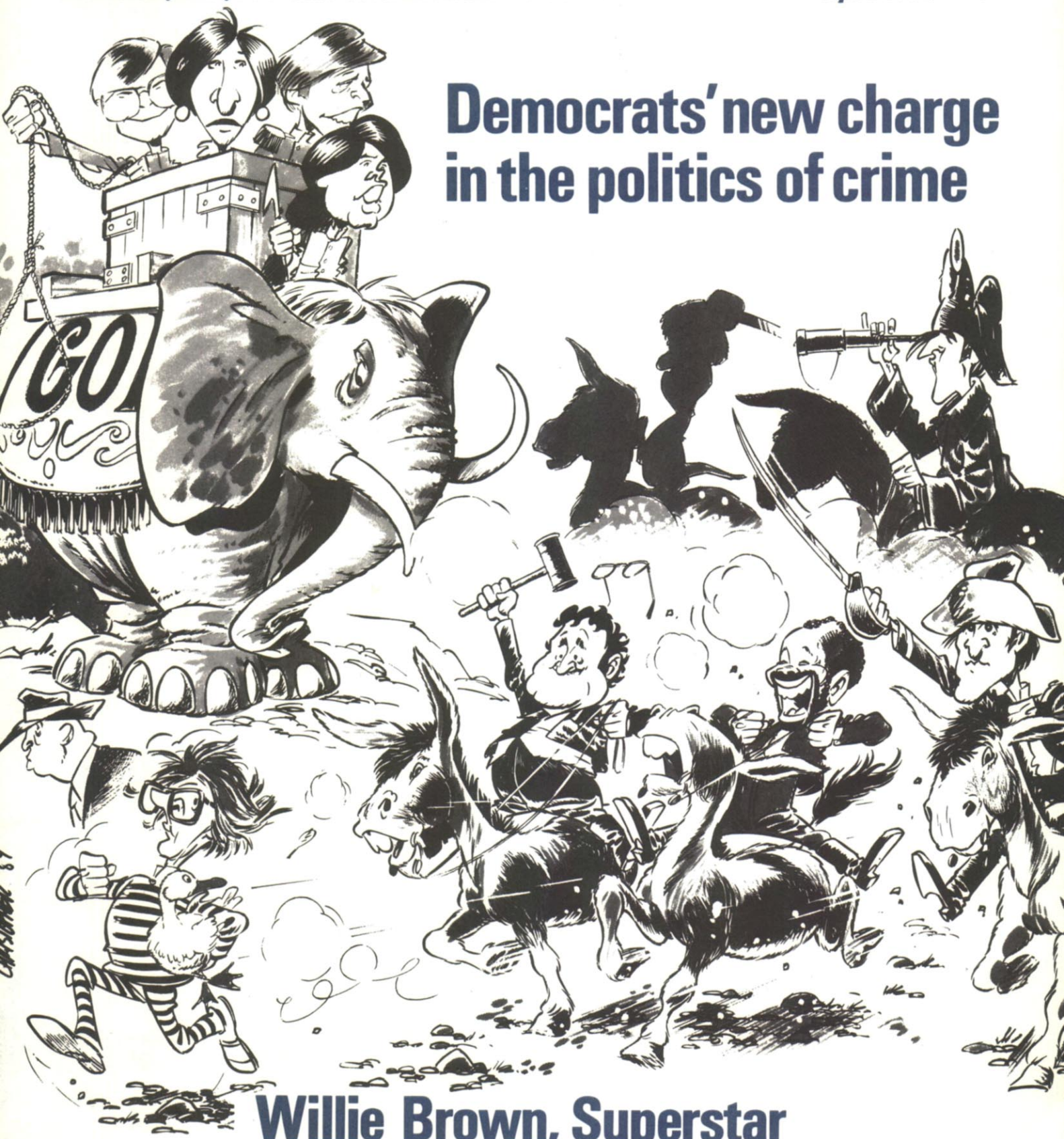

Democrats' new charge in the politics of crime

Willie Brown, Superstar

Two report cards on the media

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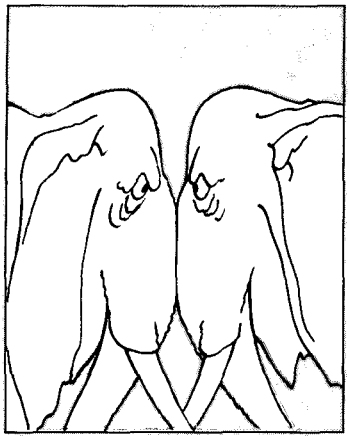
Personal
PERSPECTIVE

By Ed Salzman

Health of a party



The Democratic Party in California may not be in the best of health, with a governor of marginal popularity and an Assembly speaker who was forced to depend on Republicans to get his job.

But the Democrats look robust compared to the Republicans. The latest evidence of critical GOP health problems was the defection of Assemblywoman Jean Moorhead of Sacramento from the Republicans to the Democrats. Although her switcheroo will make little difference in the partisan balance of the Legislature, it is a significant event because such changes are not easily made. The last legislator to change party labels was former Senator Randolph Collier, who foresaw the GOP collapse in 1958 and jumped a sinking ship. (Incidentally, he is now a Republican again.)

Look at the evidence of Republican problems in the state:

- **Last November,** California was one of the few states relatively unaffected by the Ronald Reagan steamroller. Despite the personal popularity of the president in his home state, Democrats held the Alan Cranston Senate seat and maintained firm control of both houses of the Legislature.
- **Republicans are** dividing into warring camps in preparation for the 1982 primary elections. The wounds cannot be expected to heal in time for the general election, and a minority party can hardly expect to succeed if afflicted with internal turmoil.
- **Within the Legislature,** the Republicans are sharply divided. The Richardson and Campbell factions in the Senate are about even, rendering the GOP caucus almost helpless and allowing the new Democratic leadership to maneuver virtually at will. In the Assembly, only the sharp split in the Democratic Party has prevented close media scrutiny of a bitter Republican division — one that came to light with the defection of Jean Moorhead.
- **Moorhead's switch** was caused in part by the growth of intolerance of dissent among the new breed of militant Republican politicians. Her crime was that she helped one Democratic colleague, one with critical family-health problems, win re-election. As a result, she was taunted into departing. In the past, Republicans had recognized the needs of legislators to represent their own districts, and a Ken Maddy and a Milton Marks were not sentenced to Siberia for voting their Democratic constituencies. (The Moorhead switch could mean trouble ahead for freshman Republican Senator John Doolittle. She could well be the favorite to beat him three years hence.)
- **The GOP has come** to rely on "irregulars," mostly with showbiz backgrounds, to win major races. Examples: Reagan, Mike Curb, George Murphy, S.I. Hayakawa. This is an indication of bankruptcy within the regular party machinery.
- **The fastest-growing power** within Republican ranks is ultraconservative state Senator Bill Richardson, who can hardly expect to appeal to many Democratic voters. And without Democratic support, how many elections can Republicans win in California?

This should be the very time when Republicans are pulling together to take advantage of the Reagan presidency and the general public disaffection with the Democratic Party. Instead, the state's Republicans are acting like beasts in the jungle, fighting for the first strike at an injured Democratic donkey.

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Ed Meese, now the top honcho in the White House, had occasion to call his successor in the governor's office, Gray Davis, to ask a favor. It seems that the president of Mexico wanted to give President Reagan a white horse as a gift. But some nasty agricultural inspector in California was holding up delivery of the animal. Would Davis free the horse? Davis reports that he spent the better part of a day tracking down the horse. Lo and behold, the animal was being detained by a federal inspection station. Davis called Meese with this message: "There's only one man who can get that horse loose — you." The next day, Reagan was photographed with the gift horse.

Davis, incidentally, is doing absolutely nothing to discourage rumors that he plans to run for lieutenant governor — or any other statewide office — next year.

Why has Jerry Brown reserved personal space in the new "energy-efficient" office building about to be completed in Sacramento?

By the time Wilson Riles finishes his current third term as state superintendent of public instruction, an entire generation of California youngsters will have worked their way through the public school system. Riles says he's running for a fourth term to finish the job he has started.

State Senate leader David Roberti has formed a staff research team to suggest ways state spending can be reduced. (He's hired one-time liberal tax reformer Jonathan Lewis as a consultant to the team.) Name of the unit: the Budget Austerity Group or BAG.

San Francisco journalism magazine *feed/back* polled political reporters to get ratings on current politicians. Outcome in the overall ability category: Highest marks (B or B-minus) to Pete Wilson, Pete McCloskey, Ken Maddy, George Deukmejian, Dianne Feinstein, Leo McCarthy and Jesse Unruh. The lowest grade (D-plus) went to Mike Curb.

Would you believe that 58 legislators are going to the bother (and expense) of co-authoring a resolution requesting Harrah's Automobile Collection museum in Nevada to return to California a replica of this state's great seal? Attention BAG.

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STRICTLY OPINION

*With this column, the **Journal** provides a forum for those wishing to express opinions on California political issues. Inquiries about future columns are encouraged.*

Rewriting Proposition 13

By ALEXANDER H. POPE

Proposition 13 has accomplished the principal objective its proponents said it would achieve: The initiative has drastically reduced the amount of taxes paid by most property owners in California. In Los Angeles County, for example, most homeowners are paying less than half of what they paid in property taxes prior to its passage.

Fortunately, Proposition 13 has not yet caused the massive budgetary shortfalls, service cutbacks and employee layoffs which its opponents predicted would result at the local level. This has been due, so far, to the existence of the huge state surplus which has been used to "bail out" local agencies. With the surplus rapidly running out, the fiscal effects of Proposition 13 will be far more apparent in future fiscal years.

To date, the fiscal consequences of Proposition 13 have received far more attention than has its impact on assessment practices. Over the long run, however, that impact may prove to be equally as important. Section 2(a) of Proposition 13 has built into it two principal valuation inequities which, if not modified, will cause ever-increasing difficulties as long as the proposition remains in effect.

First, there is the so-called "side-by-side" problem which grows out of the fact that some similar properties now have large differences in the amount of taxes levied against them, based on the length of ownership involved. This occurs because Proposition 13 freezes property values at their 1975 level, with full reappraisal occurring only in the event of a change in ownership. The impact of that reappraisal restriction, coupled with the continued high inflation of property values, has already produced large differentials among many similar properties.

Alexander H. Pope is the assessor of Los Angeles County.

In Los Angeles County the owners of residential properties which were transferred or sold in 1980 pay, on the average, almost three times the tax that similar 1975 base-year property owners pay. The average 1975 base-year value is under $34,000 versus an average of over $92,500 for homes sold in 1979 and early 1980.

The second problem is that a number of urban areas are experiencing a shift in the tax burden from business property to residential property. This shift occurs because of the higher inflation rate in many residential areas and the fact that homes are generally transferred (and, therefore, reappraised under Proposition 13) more frequently than are the larger commercial and industrial properties. It is estimated that, on the average, 15 percent of all single-family residences change hands each year as against only 7 percent of all other properties.

For residential property in Los Angeles County (both single-family and income properties), well over half of the 1980 roll value is represented by properties which have been transferred (and, therefore, been reappraised) since the passage of Proposition 13, whereas less than one-third of the current commercial-industrial roll value is made up of transferred properties.

If present trends continue, almost 70 percent of the property-tax burden will be borne by residential property in 1990, as compared with only about 30 percent of that load being carried by commercial-industrial property.

It is the position of the California Assessors Association that any substantive change in Proposition 13 should conform to the following basic principles:

- **The lower level** of residential property taxes established by Proposition 13 should be maintained.
- **The relative** contribution of property taxes to the overall level of state and local taxation should not be further reduced.
- **Reform proposals** should move in the direction of returning some or all properties to the current market value system and should not further restrict traditional equalization practices.

It may be difficult to develop a feasible proposal for amending Proposition 13 which meets these standards. A practical first step might be to establish a regular reappraisal cycle for commercial and industrial properties, while maintaining the full operation of Proposition 13 for all residential properties.

Such a proposal would reverse the tax-burden shift now taking place toward residential property but would not, obviously, deal with the growing side-by-side differentials in the residential inventory. In addition, it would (1) allow for the repeal of our current complex and unworkable reappraisal rules for business property, (2) terminate the expensive and lengthy litigation currently under way to determine the effect of Proposition 13 on California oil and gas producers, and (3) eliminate the adverse tax differential for new development which exists under present Proposition 13 rules requiring reappraisal for new construction.

Whether this or any other proposal for amending Proposition 13 will clear the Legislature, or again be qualified for the ballot by the initiative route, remains to be seen. A number of proposals will undoubtedly be advanced; but the conventional wisdom, at this time, is that none will quality for the ballot during 1981.

Failure to deal with these problems will only make them worse. It is to be hoped that we will not repeat the experience of the 1970s and avoid taking needed remedial action beyond the point where it can be done in a thoughtful and orderly manner.

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Democrats' new love — the crusade against crime

"THIS LAW 'N ORDER TERRITORY AIN'T BIG ENOUGH FOR BOTH OF US!"

By ED SALZMAN

A generation ago, the auto-theft specialist in the Berkeley police department used to advocate a simple solution to the state's crime problem: For first-felony offenders, make probation possible and employ every tool of rehabilitation. For a second offense, the minimum penalty would be 30 years in state prison. For a third offense, regardless of the felony, the punishment would be death in San Quentin's gas chamber. If that police officer were a member of the state Legislature today, he probably would be able to get his plan sent to the desk of Governor Jerry Brown.

Whether or not there has been a significant increase in crime within the past year is a matter of dispute. But there can be no argument about the public perception that crime is perhaps the state's biggest problem, especially in the Los Angeles and San Francisco metropolitan areas. Combine the public demand for action with the success of law-and-order forces in last year's election, and you get an anti-crime atmosphere in the Legislature that some describe as hysteria.

Bills by the scores have been introduced to define new crimes, build more prisons, increase penalties for a variety of offenses and reverse various decisions of the state Supreme Court. Politicians at all levels are trying to show the voters that they are taking the lead in the crusade against crime. Local government officials in some communities are responding to the concern by proposing that the electorate vote more funds for police protection — a politically palatable way of getting back some of the revenue lost through Proposition 13.

Crime is apt to emerge as the top issue in the state's political campaigns next year. Already, some of the potential candidates for governor are advancing themselves as law-and-order zealots. With Governor Brown in the East, Lieutenant Governor Mike Curb talked about calling a special session of the Legislature to combat crime. Attorney General George Deukmejian came forth with a variety of proposals designed to crack down on the criminal element. In Los Angeles, Mayor Tom Bradley called for a plan to put more uniformed officers on the street. Deukmejian's image as a crime fighter seems not to have suffered from the fact that the public's fear level increased at the very time he has been serving as the state's top law-enforcement official. The fact is that the job of controlling crime falls on local police departments, not on the state Department of Justice.

The politician most endangered by the anti-crime crusade

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in the Legislature is Governor Jerry Brown, who is expected to run for the United States Senate next year. The Legislature appears in a frame of mind to send a rash of crime bills to the governor's desk — even though many of them seem ridiculous by historical standards. (The one most often cited would require a 12-year sentence for assault in a church.) Will the governor veto some of these measures and risk being called soft on crime during the Senate campaign? The governor's crime image is already fuzzy because of his opposition to the death penalty.

No one seems to be addressing the basic issues: Has there in fact been a marked increase in serious crime? If so, what are the best solutions? Such issues are rarely addressed because it is easier for local officials to propose more money for more police and for state officials to seek increased penalties. The best evidence seems to indicate that there has been no marked increase in overall crime, especially given the fact that inflation has pushed some former property-crime misdemeanors into the felony class. But there has been an increase in so-called street crimes, those involving the use of weapons.

Another basic issue that needs to be addressed: What are the real causes of the increase in violent crime? Law-and-order advocates like to point accusing fingers at the current state Supreme Court, which they charge is more concerned with defendants than with victims. Yet the court has had a liberal bent for many years, and relatively few criminal cases are directly affected by controversial Supreme Court decisions. In addition, the court in recent months has spoken increasingly in favor of capital punishment.

Nor can the policies of the Brown Administration or the Legislature be blamed. California now has a higher percentage of its citizens behind bars than any major state or any large nation in the world with the exception of South Africa and the Soviet Union, where the inmate population presumably is swelled by the incarceration of political prisoners. Interestingly, the prison population in California dropped sharply during the administration of Governor Ronald Reagan — from 29,000 in 1969 to 19,000 just three years later. (The parole board quietly accelerated the release of inmates to save the state money.) The prison population now stands at 24,500, and there are complaints about overcrowding.

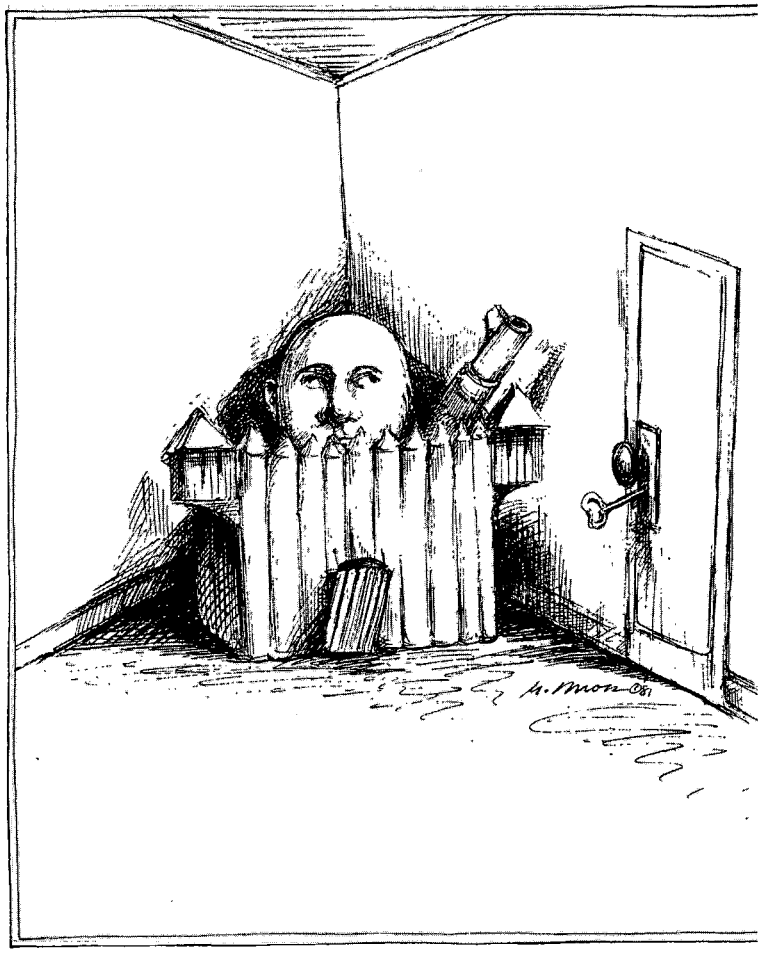
The jury is still out on the long-range impact of the determinate sentencing act that went into full effect a couple of years ago. The Legislature did not allow that law to sit for a while before increasing penalties. As a result, some felons now spend much more time in prison than they did before that act was put on the law books.

An unstacked committee

Just a few years ago, the Assembly Criminal Justice Committee was viewed as the graveyard of law-and-order legislation. By mutual consent between liberal Democrats and moderate Republicans, that committee was stacked to prevent wholesale adoption of laws creating new crimes and increasing penalties. Speakers loaded the committee with liberals from the San Francisco Bay Area and the minority districts of Los Angeles. Often, the committee would be headed by a moderate Republican like Ken Maddy or Craig Biddle. Only those bills that passed an extreme test for reasonableness would reach the Assembly floor. Efforts by conservatives to pull bills out of that committee were interpreted as no-confidence votes on the speaker and invariably defeated.

The toughness of that committee declined measurably during the speakership of Leo McCarthy, partly because the Brown Administration endorsed anti-crime bills that had previously been killed by the committee. Over the past few years, law-and-order forces have done quite well in getting measures sent to the governor. With the election of Willie Brown as a coalition speaker this year, the graveyard image of the committee was shattered. Conservatives now rule the committee. In fact, the Senate Judiciary Committee now looks more difficult for law-and-order advocates. But the early tests on bills before that committee indicate that there is no major barrier there either. That means that anti-crime bills in wholesale numbers should reach Brown's desk.

Over the years, the Legislature's leading exponent of tough law-and-order measures has been Senator H. L. (Bill) Richardson, who raises funds on behalf of several organizations that try to defeat liberal judges and legislators and that oppose gun-control efforts. Richardson basically favors sending more criminals to jail for longer terms. He has been highly critical of state officials for releasing prisoners with records of violence into the community.



Richardson caused a great deal of the recent legislative hysteria over the crime issue by pulling the biggest political upset of 1980 — the defeat of veteran Democratic state Senator Albert Rodda of Sacramento by Richardson protégé John Doolittle. The crime issue was central to the anti-Rodda campaign. Immediately after the election, Senate Democrats changed leaders and vowed not to let Richardson strike again. Within a short time after Senator David Roberti assumed the leadership, he joined with several of his colleagues to announce a Democratic anti-crime program. "Crime is the number one issue facing this session of the Legislature," Roberti declared. The Democratic package covered plea bargaining, drunk driving, child pornography and a variety of other offenses. Even Senator Alan Sieroty, long viewed as one of the Legislature's prime civil libertarians, has authored part of the program.

Legislators like Sieroty, who represent so-called silk-stocking or middle-class liberal districts, no longer are able

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to maintain a hard line against the Richardson camp because their constituents are also vitally concerned about the crime issue. Only those lawmakers with essential minority districts can risk bucking the bandwagon. That isn't because there is a lack of crime in minority neighborhoods; in fact, minorities are more often victims of crime than the majority. It is because minorities often perceive themselves as the prime victims of anti-crime laws. In their eyes, the crime laws are administered in a discriminatory manner. Even so, some minority lawmakers are making special efforts to prepare their less liberal constituents for any opposition they may express to these bills.

Invading GOP turf

The Democratic takeover of the crime issue has infuriated conservative Republicans, who feel that their turf has been invaded by imposters. Richardson has accused Democrats of "playing politics" with the crime issue and has suggested that the public should view the Roberti crew's package as an effort to make Californians believe that "Bambi rules the woods." The Democratic anti-crime campaign will make it much more difficult for Richardson to repeat his Doolittle victory of last November — unless the public gets the notion that the Democrats don't really mean business.

Over the years, the Democrats have protected themselves by winning endorsements from police organizations. In Jerry Brown's first campaign for governor, one of his major television commercials was a talk by the head of a police organization. In effect, that police sergeant was getting across a message: "If the Republicans claim Brown is soft on crime, they are not telling the truth."

If Democrats in the past have killed anti-crime bills, why didn't the rank and file police support Republicans? The answer is that Democrats traditionally fought for better benefits for police — improved pension plans, enlarged police forces, higher pay, allowances for weapons and uniforms, better hours and working conditions. The Democrats took care of the police pocketbooks and were paid back at election time. Now, the endorsement of a police organization is not viewed as sufficient protection from a Richardson attack, and only a few lawmakers are daring enough to speak out against the rash of law-and-order bills.

One of them is Assembly Speaker Willie Brown, who could hardly be defeated by a Richardson candidate in liberal San Francisco. Brown was highly critical of the approach taken by his colleagues: "It serves the purpose of helping people get elected but it doesn't have anything to do with reducing crime." He feels that reducing housing density may have more of an impact on crime rates than increased penalties.

The Democrats cannot be blamed for releasing too many felons into society too often. The determinate-sentence law has taken much of the discretion out of the parole process. The entire correctional agency is run by a former Republican colleague of Richardson's, Howard Way. And the parole board is headed by a former Reagan appointee, Ray Brown, a long-time Oakland police official.

It is ironic that one widespread reaction to the media's concentration on crime news has been the purchase of guns by law-abiding citizens seeking self-protection measures. There are those who claim that the proliferation of gun ownership will have an adverse effect by placing more tools of violent crime into society. Richardson, on the other hand, feels that gun ownership does indeed deter crime.

Drugs and budget cuts

These are the kinds of arguments that develop any time efforts are being made to cope with the complex crime issue. No one knows, for example, how much of the increase in crime — if indeed there has been an increase — can be attributed to the use of drugs by young people in California. How many crimes are committed by those seeking funds to purchase drugs? How many crimes are committed by those who have lost rationality under the influence of an hallucinogen?

Then there is the entire area of societal breakdown. More and more children are the products of broken families. Respect for law and order has declined among the young. The schools no longer seem to be exerting a strong moral influence on children. How much of that can be translated into an increase in the violent crime rate?

How much of the responsibility for the crime increase can be charged to the passage of Proposition 13? Local officials are now seeking special taxes for police protection that presumably were lost as a result of the Jarvis-Gann initiatives. There also has been a reduction in a variety of local services — such as park programs and summer school classes — that might result in more crime-prone youths on the streets.

Even before the passage of Proposition 13, there were often complaints in the Legislature that state and local officials were doing an inadequate job of supervising those on probation and parole. Tim Fitzharris, lobbyist for the California Probation, Parole and Correctional Association, claims that post-Proposition 13 cutbacks hit especially hard at budget items for half-way houses and probation programs. The reason is that these were low-priority items in local budgets and were not locked into mandatory spending programs.

Another major money item is the controversial practice of sentence or plea bargaining. It works this way: An individual is charged with rape. The district attorney has a good case but does not feel absolutely certain of victory before a jury. Following negotiations, the defendant pleads guilty to a lesser offense — say breaking and entering — and gets a relatively short prison sentence. Opponents of plea bargaining claim that it is destroying the system of justice and that criminals know that they can bargain for light sentences if they are arrested for major offenses.

District attorneys claim they must bargain because they do not have the personnel or funds to try every case. In these days of tight budgets, it is difficult for a county to obtain the funds to add prosecutors — plus public defenders to match. Nevertheless, the power to reject bargaining is within the domain of the chief law enforcement official of each county, the district attorney. One bill that seems to be gaining favor in the Legislature would give the victim of a crime a voice in the bargaining process. How many victims of rape would agree to a guilty plea for breaking and entering?

To Fitzharris, there is another significant factor in the state's perceived crime problem — the ineffectiveness of the police in many communities. This is a view that is almost never heard in the Legislature because it is not considered politically prudent. Yet Fitzharris claims that the most prevalent complaint in the crime field is that the police do not respond rapidly enough to calls from citizens. He added that most police departments do not have good records in the apprehension of criminals. Both these complaints, however, can be explained by police as direct products of shortage of funds to hire needed police officers. In several California cities, the police and city officials are taking their case to the public in the form of tax requests.

In the Legislature, however, the emphasis is on adoption of the kind of bills Senator Richardson has been advocating for years. Yet, Richardson is not optimistic. He calls the bulk of the measures "more platform than substance" and predicts that they will be watered down before they go to the governor.

But what if Richardson is wrong and he can't make a good case against Democrats in 1982? "I'd be delighted if we don't have any targets," he answers. "There wouldn't be any need for me to be here any longer, and I'd get out of the Legislature . . . But it's not going to happen."

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If someone were to write a play about the most visible character in the California Legislature today, it could well be titled:

Willie Brown, SUPERSTAR

By VIC POLLARD

CHRIS VAN OVERLOOP

When he walks the streets of San Francisco, total strangers reach out for a handshake. They honk their horns as they drive by and shout, "Hey, Willie!" When he strides into a restaurant, patrons all over the room point and whisper, "There's Willie Brown."

In Sacramento, a major speech on the Assembly floor by Willie Brown is not just a speech. It's An Event. Advance word that Brown plans to play a leading role in debate on an emotional issue is enough to fill the gallery with people who may or may not care about the issue but wouldn't miss the show for anything. He is the Legislature's premier orator, and veteran politicians can still be caught gaping in awe at his skill. When he really gets rolling, he pounds home his points with the icy precision of a crack courtroom attorney and the lyrical thunder of a black Baptist minister.

Willie Lewis Brown Jr., who was elected December 1st as the new speaker of the California Assembly, is no ordinary politician. He attracts people like a super-charged electromagnet with his razor-sharp mind, his unshakable optimism and self-confidence, his outrageously irreverent sense of humor. Long before he won the speakership he developed the knack of becoming the center of attention in any crowd. He laughs the loudest at a good joke, whether he tells it or someone else does. He is always the best-dressed person in any room and when he leaves, it's usually in the fastest Porsche in the parking lot.

"I've never heard him complain about not feeling well, about being tired, about being hung over," says *San Francisco Chronicle* columnist Herb Caen, a close friend of Brown. "He's a life-enhancer. When he's around, everything is a little better."

Vic Pollard is a Capitol reporter for the Gannett News Service.

Although Brown is widely admired for his talent and ability, he is not universally loved. His ultra-liberal philosophy on issues like civil rights, labor and consumer affairs draw sharp opposition from conservatives and even many moderates. The most frequent targets of Republican criticism are his sponsorship of bills to decriminalize home growing of marijuana for personal use and extend legal protections for homosexuals.

But Brown is a speed reader on the subject of political realities, and he has moderated some of his views lately. He is still a passionate supporter of school integration and women's rights, but he feels the old militancy is not the strategy for the '80s. "I'm recommending to black folks in this state that they abandon the defense of busing," Brown told columnist David Broder recently.

Another problem for Brown can be his brash, flamboyant personality, which comes across to some as arrogance. Brown steadfastly refuses to be anyone but himself, however, a man who is absolutely certain that he is superbly talented. In one of his most revealing interviews, Brown told Bob Schmidt and Chuck Buxton, reporters for the Knight-Ridder newspapers: "I don't know anything I can't do. I don't know any profession I couldn't excel at. I don't know any trade that I couldn't learn and be competent. I don't know any subject matter that I couldn't master."

In short, Willie Brown is more than the speaker of the Assembly. He is a larger-than-life superstar, an institution unto himself, literally a legend in his own time.

A need for celebrities

Nowhere is that more evident than in his home city, says former Assemblyman Paul Priolo, a long-time friend and admirer of Brown from across party lines. Priolo observes that San Franciscans, like New Yorkers, seem to need their politicians to be celebrities in the mold of former mayors Joseph Alioto and "Sunny Jim" Rolph. "Alioto was the last

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big one," Priolo notes. "They are trying to make one out of Dianne Feinstein with the bows she wears, but it isn't working."

"He fits into that tradition," says columnist Caen, whose frequent mentions of Brown have done much to shape the lawmaker's image. "He's very visible. He likes to walk around and shake hands and talk to people. People yell to him on the street, 'Hey, Willie!' Usually favorably. Sometimes he'll get a critic: 'Up yours, Willie.' He's a great people guy."

Brown was born into poverty in the little farming town of Mineola, Texas. He seldom discusses his childhood, but in the remarkable interview with Schmidt and Buxton, he said his father abandoned the family early and his mother was frequently away "working in somebody's kitchen." He and four other children were reared by their grandmother in a little house with no running water and only wood stoves for heat and cooking. As he grew up, he worked at any kind of job he could find, usually picking fruit and produce on the nearby farms. At age 12, he recalls a job shining shoes in a barbershop where white customers often paid him by tossing coins in a spittoon.

Brown credits his grandmother for the fact that such a childhood did not turn him into a bitter or defeated adult. "That old woman convinced me that there wasn't anything in the world that I couldn't do," he said. "And even in failure she would always manage to find some comfort and some reason to be positive. There was nothing negative about her."

After going to segregated Mineola schools, where he earned excellent grades, Brown left Texas for San Francisco in 1951 at the age of 17. Working at a variety of jobs, he put himself through San Francisco State College and Hastings College of the Law. He began practicing law and in 1964, on his second try, he was elected to the Assembly.

He landed on a back bench immediately by voting against Jesse Unruh for speaker, but Unruh knew talent when he saw it and once told the brash youngster from the Assembly podium, "If you weren't black, you'd be the speaker." Brown became a protégé of Bob Moretti, who later named him to the second most powerful post in the Assembly, chairman of the Ways and Means Committee. There, Brown quickly developed a solid reputation for making quick decisions and sticking with them, giving a fair hearing to both sides of an issue and never breaking a promise — qualities that proved vital in his eventual election to the speakership.

During this time, Brown also became increasingly active in national Democratic politics, concentrating on minority causes. He was the center of attention briefly at the 1972 Democratic convention. He was the chairman of the California delegation, which was pledged to George McGovern but was being challenged by the Hubert Humphrey forces because of the state's winner-take-all primary rules. Brown's passionate "give me back my delegation" speech was a key factor in winning enough black and liberal votes to the delegation, which in turn gave McGovern the votes for the nomination.

Behind-the-scenes details

Brown's increasing diversion with national politics is frequently cited as a major reason he failed to win the speakership on his first try in 1974. He campaigned exuberantly for the post with characteristic certainty that he would win — only to realize too late that fellow San Franciscan Leo McCarthy had quietly stolen away his key support, including most members of the black caucus. But even in exile on the Capitol's sixth floor, Brown refused to give in to failure. He worked on building up his law practice, having fun racing his cars and regaining the confidence of Leo McCarthy. The latter effort eventually paid off when McCarthy made him the chairman of the Revenue and Taxation Committee.

Most details of Brown's rise to the speakership from the ashes of the Leo McCarthy-Howard Berman debacle are well known. Not quite as well known are some of the behind-the-scenes maneuvers that cost Berman the job after he had apparently won a clear victory in the November 4th Assembly district elections. Here is an outline, distilled from a number of conversations:

- **The day after** the elections, McCarthy withdrew from the field, and his dejected followers named a five-member committee, including Brown, to meet with Berman and sue for peace. Their list of proposed demands was kept short: If Berman would agree not to retaliate against the McCarthyites and give "positions of dignity" to the senior members of the group, the junior members would agree to be seen and not heard for a couple of years.
- **The following day,** before the meeting with Berman could be held, three members of the McCarthy group secretly asked for a meeting with Brown and urged him to seek the speakership himself by making whatever deals were necessary. The trio consisted of Maxine Waters of Los Angeles and Elihu Harris of Oakland, both blacks, and Mike Roos of Los Angeles.

"I was praying that they would come to that conclusion," Brown said later, but he declined to make a move at that point. He says he wanted to make sure that "everybody understood that I didn't have to be speaker," and he had a responsibility to the other McCarthy supporters who then felt strongly that the leadership question should be settled without making concessions to the GOP.

- **The negotiations** with Berman turned out to be a disaster for both sides. At the initial meeting, Berman "overwhelmed us with people," says one McCarthy insider. In addition to assembling a group that outnumbered the McCarthy delegation, Berman brought his wife as a spectator and one supporter brought his young children.

The McCarthyites say Berman refused to agree to any of their requests, and continued negotiations over the next several days brought compromise no closer. "He never took us seriously," one McCarthy supporter says of Berman's attitude. "Our resolve was beginning to harden." (Berman was attempting to woo McCarthy followers, individually, and declined to deal with them as a group.)

- **Then came announcements** from the Berman camp that four Republicans had agreed to support him for speaker. That shocked both the McCarthy supporters and the Republican leadership into action. "It sort of gave our group permission to consider dealing with the Republicans," says Assemblyman Art Agnos, one of the most loyal of the McCarthyites. Republican Leader Carol Hallett, viewing Berman as the most dangerous possible speaker and alarmed at his inroads into her caucus, began an all-out courtship of the McCarthy group.
- **The McCarthyites** met and dispatched Brown and Frank Vicencia to meet with Hallett. Vicencia was picked because he was considered the most likely dark-horse speakership candidate at that point. Brown was chosen because everyone knew the Republicans trusted him as a man of his word, despite their philosophical disagreements. In fact, Hallett had been touting him for months as a compromise candidate the GOP could work with, to the frequent dismay of rank-and-file Republicans.

It quickly became evident that agreement was possible, but the question of the speakership itself was still up in the air. Brown argued fervently on behalf of Vicencia as a candidate who would carry far fewer liabilities for both sides. But at the next meeting of the McCarthy group, Vicencia withdrew, saying he was too uncomfortable with the concessions that would have to be made and the avalanche of party pressure certain to fall on any coalition candidate.

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• **Thus, two and a half weeks after** the election — and six years after his first attempt — Brown again became a candidate for speaker. He and Hallett hammered out a 12-point agreement that included delegation of bill assignments to an expanded Rules Committee, *de facto* veto power by Hallett over Republican committee assignments, additional GOP committee chairmanships and equal funding for GOP reapportionment efforts. In exchange, Brown would get 28 Republican votes to go with those of the 23 McCarthyites, a margin of 10 more than he needed to win the post.

• **The Berman camp** made at least two last-minute efforts to head off the Brown-Hallett coup. One was a letter slipped under Agnos' door at night, agreeing to all of the initial demands from the McCarthy group. Another was the dark-horse candidacy of Richard Lehman of Fresno, an apparent attempt to peel the agricultural community's support away from Hallett's negotiations.

But by then it was too late. Berman had made too many miscalculations to regain the trust of the McCarthy camp. "There never was a response on a peer-level basis by the Berman people," Brown says. "I don't think they perceived even the possibility that some Democrats would align themselves with Republicans to achieve the speakership . . . They never dreamed that people would be sincere and dedicated enough to take the heat of Jerry Brown criticizing them, of the party . . . executive committee passing the resolution against them."

Tactics for survival

By all the standards in existence since the days of Jesse Unruh, the speakership that Brown holds is seriously flawed. Skeptics wonder aloud daily whether the coalition can hold together under the test of a major partisan issue such as cost-of-living allowances for welfare and other state programs or the state budget itself.

Brown bristles at such questions, insisting repeatedly that there is no cause for alarm. His strategy for survival involves at least two major tactics. One involves lowering the profile of the speakership, apparently in an effort to give critics a smaller target to shoot at. He is trying to do that by drawing a new and careful distinction between the two different roles played by the Assembly speaker — that of the party leader responsible for a legislative program and that of an administrator of housekeeping details such as committee assignments and office space. Traditionally, speakers have used the latter as a disciplinary tool to enforce passage of their legislative programs.

Brown says that era is over. "The speakership," he declares, "should not have been a dictatorial position to require people to do certain things against their political judgment and against their political interests." And as long as he holds the office, he vows, it won't.

There are many doubters who wonder how long Brown will be able to resist the temptation to use the still-considerable disciplinary powers of the office to get a crucial vote on a key bill, but most Assembly members, Republicans and Democrats alike, appear to take him at his word. "He doesn't speakerize bills the way it's been done around here before," says Democratic Assemblyman Bruce Young.

Hallett agrees that is one of the most significant changes to come in with the new regime. "That is so important," she says, adding that it was discussed as an issue in the negotiations, although it does not appear in the formal agreement.

Brown's credibility on this issue is not enhanced, however, by his insistence on downplaying the significance of the concessions to the GOP. "I have all the powers that any speaker before me has had," he says. "The alleged concessions . . . certainly haven't revealed themselves in any fashion in terms of operating the speakership. The fact that I transferred the responsibility for the assignment of bills to the Rules Committee is probably the most innovative, creative thing that's been done, and it wasn't prompted by any deal with the Republicans. That was prompted by my own desire to reform the speakership." A better clue to Brown's thinking may lie in a slightly different defense of the Rules Committee move that he gave to a group of black journalists in January. "I name the chairman and four other Democrats to the committee," he said. "Five out of nine (Rules Committee members) belong to me."

While he is lowering the expectations for the speakership, Brown's other tactic for survival carries considerably greater risk. That involves raising the expectations for his own performance in the job by promising an absolutely flawless administration.

When pressed on how vulnerable he is to a Republican plot to overthrow him, Brown says flatly. "There'll be no contest for the speakership prior to 1982, November of '82." Why? "It's because of the performance which I will engage in and am engaging in. There is no reason why anybody should be interested in changing the speaker other than naked ambition, and that's not enough to unseat you . . . I am going to perform well enough so that the seeds of dissension will never take hold in this house."

The example for blacks

Brown's ascension to the speakership was more than just a leadership change in the state Assembly. For decades, blacks have struggled to gain political power primarily within the framework of the Democratic Party. With a few exceptions, however, they have found it difficult to expand their appeal beyond ethnic boundaries. One of the exceptions is Los Angeles Mayor Tom Bradley, but the most frequent success has come only in cities or districts with unusually large minority populations or black majorities.

One of the most significant aspects of Brown's speakership is that perhaps for the first time, a black Democrat has achieved a major position of political power by reaching across party lines and forming a working coalition of mutual benefit with conservative Republicans. If it works out in California, it is a move that is likely to be emulated elsewhere, given a continued revival of the Republican Party and a continued swing to the right by the Democratic Party.

As a result, the speakershp has at least one facet for Brown that it did not have for his predecessors. That is the added responsibility, thrust on any member of an ethnic minority who achieves high office, to serve as an example. Brown takes the responsibility the way he does everything else: with absolute certainty that he's the best there is.

"I think I am, above all else, the outstanding example that this country now has of a black capable of acquiring political power," he says. "I think I have a responsibility to make sure that the method by which I acquired that is passed on to other blacks in the field of politics and those outside the field of politics."

He is also acutely aware of the pitfalls of scandal and failure that destroyed some other prominent blacks such as former congressmen Adam Clayton Powell and Charles Diggs and former U.S. Senator Edward Brooke. "I've got to literally make this a success so that it becomes an example," he says. "To the extent that I'm successful, it enhances the chances for Tom Bradley to become governor. To the extent that I'm successful it enhances the chances of nameless blacks to begin to put together the kind of coalition that will allow them to be successful."

Brown is also acutely aware that the downfall of most of his recent predecessors in the office was a display of ambition. Unruh and Moretti surrendered it voluntarily to run for governor, but they could not turn the office into a springboard.

Continued on page 139

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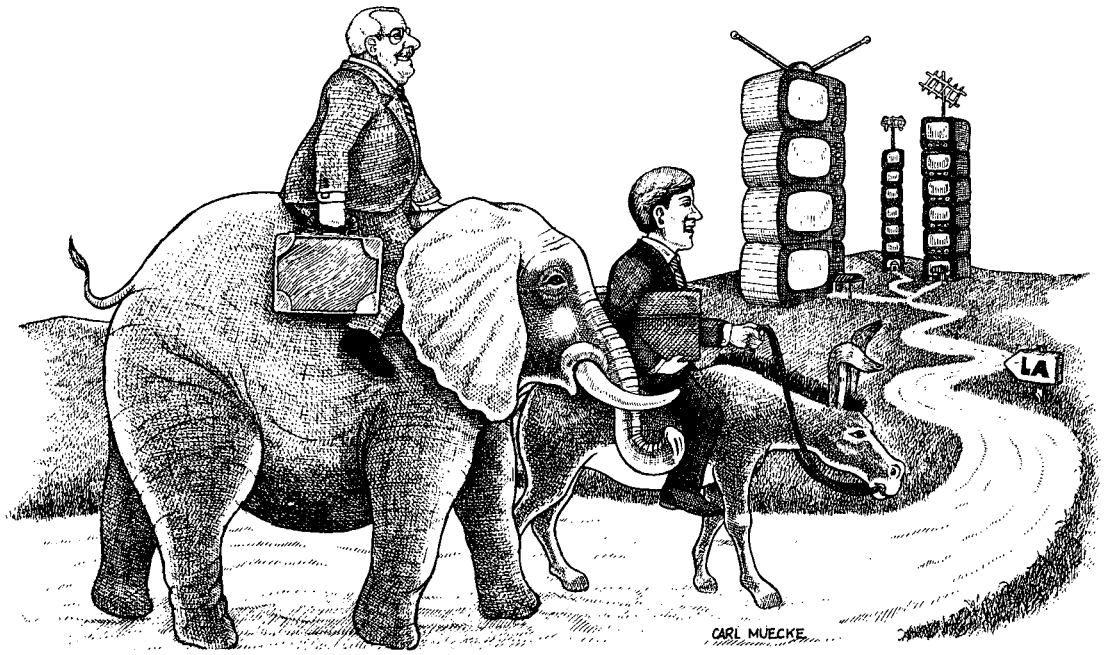
Rating LA television on the coverage of politics



By MICHELE WILLENS

"If the media won't come to the mountain, the mountain has to go to the media," says Gray Davis, Governor Brown's chief of staff.

Davis is speaking of the increasingly distant relationship between the Capitol and those who report on politics in the powerful southern part of the state. It is no secret that when California politicians have a message for the voters, they don't just leave it on their answering machines. Nor do they depend on newspapers or the television stations in Sacramento and San Francisco. If the message is important or their ambitions are big (or both), the politicians hustle to Los Angeles where three powerful network-owned TV stations will help them more than any other media.

There are two reasons for this: The three affiliates reach about 50 percent of the state's voters, and their daily newscasts are getting longer. KNXT now has two and a half hours of local news in the early evening; KABC has three, and KNBC reportedly will soon add a half hour to its current two hours. Most politicians correctly assume that they have a better chance of getting TV exposure under such conditions, simply because news producers are desperate to fill all that time.

This gives the political reporters of Los Angeles TV stations a lot of clout. How well are they using it? That, of course, depends on whom you talk to. KNXT (the CBS affiliate) news director Johnathan Rodgers says, "I will rate our political coverage of 1980, up to and including the inauguration, as the best of any local station in the country."

KNBC's Executive Editor Pete Noyes says, "We're still the most thorough in terms of political coverage." And KABC's political editor Leo McElroy says, "Our stories are generally shorter but we're damn competitive and holding our own."

In some respects, they are all correct.

KNXT generally did do the classiest job of reporting throughout 1980 with political editor Linda Douglass and anchorwoman Connie Chung dividing the chores. Commentator Bill Stout also frequently lent his "perspectives" to stories and was the most aggressive LA reporter in questioning political figures on inconsistent statements.

The three stations did particularly admirable jobs at the party conventions. One man who worked for all CBS stations at the Democratic convention admitted, "Theirs is the best stuff I've seen anywhere."

Predictions, promises

So much for the recent past — a glamorous year, after all, with names like Kennedy, Reagan, Anderson and Brown involved. But how will the "big three" affiliates cover the political arena during the off-year of 1981 and the statewide races of 1982? Here is a roundup of predictions and promises:

- **KNXT.** Linda Douglass has left KNXT and no one will replace her. The fear of political-news buffs is that the station will return to lacklustre, catch-up political reporting.

"With the absence of Linda Douglass, we will no longer cover politics on a daily basis," says Rodgers. "But with people on our staff like Connie Chung, Bill Stout and Jess Marlow (the station's new anchorman who used to help out with political coverage at KNBC), we won't let anything get away from us. Last year was an extremely interesting year,

Michele Willens, a free-lance writer in Los Angeles, is a regular contributor to the Journal.

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but I need my reporters for stories that are more important than what's happening politically now."

KNXT is keeping an eye on current local contests, although Chung and Marlow have not covered anything political since the inauguration. The tendency is for anchorpersons not to cover merely "local" news, preferring to wait for a Kennedy to cruise through town. So what is missing is the day-to-day, behind-the-scenes reporting that can be interesting even in a supposedly dull political year.

● **KNBC.** Political editor Saul Halpert will remain this year, with a good backup in veteran reporter Warren Olney. Halpert is a solid, well-liked newsman, and Olney can be aggressive, although he has clearly tired of covering politics.

A dull, lazy style that has typified KNBC over the past few years may be changing with some new management. In the past, KNBC has not been the place to see breaking stories unfold or to get behind the political headlines. But it has been the place to learn who was running for what and what they did that day. Politicians still consider it the station where they are most likely to get coverage.

Until a few months ago, it was also the only Los Angeles station which still maintained a bureau in Sacramento, and it took great pride in that. Now that has been closed down.

"It was an economic decision," insists Executive Editor Noyes, "and our news director says he hopes to reopen a bureau in Northern California next year." (Don't bet on it.)

● **KABC.** Home of the city's top-rated newscasts, the ABC affiliate, has improved its political coverage noticeably over the past few years. Leo McElroy is still the main person doing it, but recently he was finally given some back-up help in the able Larry Carroll. McElroy promises that there is a new commitment to political news. He cites his orders to travel to Sacramento at least once a week, regardless of what is happening at the Capitol that day. He can even leave his camera crew behind and use the time for background briefings, he says.

McElroy was the only Los Angeles TV reporter who followed the Berman-McCarthy speakership battle with much depth and insight. He was able, for example, to explain why it was significant that Assemblymen Torres and Richard Alatorre attended a particular function, and he predicted that they might be considering defecting from Berman — which they did soon after his report.

"We don't provide the length necessary for solid political coverage," McElroy concedes, "but we are getting better. Now, at least they listen when I plead with them that I need two and a half minutes instead of one and a half to explain why something is important to the viewers. We're also not covering purely 'hype' events anymore; we're more interested in the whos and whys."

KABC is the only one of the three stations which does not have a weekend show devoted to a half-hour interview with a political figure. KNXT has *Newsmakers* and KNBC has *News Conference*, both of which draw top political figures.

The politicians say they don't play favorites or demographics, although most of them are aware that while KABC has the biggest numbers, KNXT and KNBC share the bulk of the opinion-makers among their viewers.

Governor Brown makes frequent live appearances on KABC's chatty, mostly silly newscasts. Their viewers tend to be younger and less educated than the other stations. But, as McElroy says, "We may not have the leader types watching, but we are in the position to form public opinion."

"We make the governor available to everyone or to no one," says chief of staff Davis. "We don't have favorites. I think — considering the fact the LA media doesn't specialize as much in politics as do Sacramento reporters — they do a pretty good job. They'd probably do a better job if they were assigned full-time to it."

Davis and his boss know the realities of the business: Most of the media action is in Los Angeles, and there is no use complaining. "Sacramento has become increasingly isolated from the rest of the state," Davis says. Since people depend on TV as their primary news source, and since LA is such a huge market, Sacramento has to go to them. I know the governor is spending more time on the road because of the inconvenience."

Growing sophistication

LA's two all-news radio stations, KFWB and KNX, are also important outlets for political figures, but their impact on public opinion is far less than the TV stations. KFWB has a reporter working full-time in Sacramento.

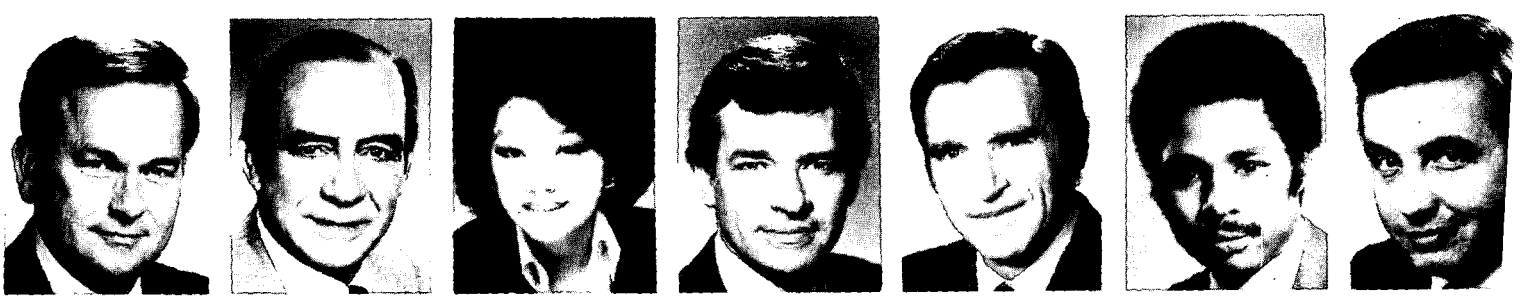
And, of course, there is the bulky *Los Angeles Times*, the city's basic news center. Its political reporting is generally excellent, although the coverage exudes a typical *Times* complacency and a "we-can-take-our-time" attitude. The less-circulated *Los Angeles Herald Examiner* makes up in scrappiness, hustle and fun what it lacks in power.

But the city's TV stations' attention is most coveted by the state's politicians. And as 1982 contests gear up, so will political coverage — at least, that's what the stations promise.

Chung, Marlow, Stout, McElroy, Carroll, Olney and Halpert are the key names in the TV political-news world of Southern California. They appear to share one encouraging quality: an increasingly skeptical and sophisticated attitude toward politicians. In the future, events staged exclusively for the cameras may not generate the knee-jerk, unquestioning coverage that they have previously enjoyed.

City Councilman Bob Ronka learned that lesson recently. A candidate for city attorney, Ronka called a news conference to announce the results of a private poll on whether citizens are willing to pay more taxes for more policemen. When the reporters arrived, they learned Ronka's poll was less than precise and that there really wasn't any hard news at all. A few years ago, they might have reported it anyway. But this time, McElroy refused to do the story; Stout attacked Ronka for his "political expediency," and KNBC covered the story but didn't use any film on the air.

That is a fairly good indication that the politicians need the LA media more than the media needs the politicians — even with three hours of nightly news to fill.



Marlow Stout Chung Olney Halpert Carroll McElroy

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Higher grades for Bay Area newspapers

By MARY ELLEN LEARY

President Ronald Reagan, the 40th to lead the nation, was the first to be inaugurated facing west. That ceremonial happenstance may be prophetic. The candidate who went to the White House trailing platoons of fellow Californians with him, a notable number from the San Francisco Bay Area, has laid a new communications link across America. Washington no longer seems a continent away.

Whatever the long-range implications, the 1980 election and the start-up of the Reagan term have already brought major changes in the way the press of the San Francisco Bay Area is reporting political news.

Recent months have seen turning points for the newspapers of San Francisco and its neighbor cities, Oakland, San Jose and Palo Alto. Not all of the changes, of course, resulted from having a Californian-turned-president. Several factors have helped to soften the notoriously bad reputation of Bay Area newspapers. For years they have been known for their poor political coverage, their flippant approach to news of government, their shallow and inconsistent reporting and their provincial viewpoint which ignored most events occurring beyond the shadow of the Golden Gate. Although the transformation is hardly complete, Bay Area newspapers are operating today on higher standards than those of the recent past, and political news is enjoying something of a renaissance in the Bay Area. Rollin Post, veteran NBC political reporter in San Francisco, calls last year's campaign efforts "the best coverage in many years . . ."

San Francisco Examiner Editor Reg Murphy agrees. "There is no question but the past year was a watershed for Bay Area journalism," he says. "We changed. But not just us — others changed too."

Nowhere is that change more apparent than at the *San Francisco Chronicle*, which shares advertising, publishing and Sunday-edition arrangements with the *Examiner* but competes vigorously in the news department. A critic of the Bay Area media, writing recently in *Focus* magazine, said that the *Chronicle's* staff members used to leave the city so rarely that a reporter sent to Emeryville was considered a foreign correspondent. But this year, political writer Larry Liebert was in the snows of New Hampshire and the pig farms of Iowa, in Detroit and Dallas, while the *Chronicle's* Washington bureau correspondent John Fogarty took the trail elsewhere. Says *Chronicle* Managing Editor Bill German, "We set out, for the presidential campaign, to do a more thorough job than we'd done before. We made a major commitment in budget, staff, time and space."

"Easterners keep saying, 'You've got one of the great cities of the world, but what lousy newspapers,' " remarks David Burgin, editor of the *Peninsula Times-Tribune*. "That's not accurate any more. Of course San Francisco papers do some things magnificently, especially in the entertainment area. But political coverage needs to be taken seriously to establish credibility. It hasn't been. Now things are starting to turn around. It's going to take a while, though."

What has prompted this media turnaround? Is it a temporary phenomenon or a significant trend? There are at least

Mary Ellen Leary, a veteran Bay Area journalist, is the author of Phantom Politics, *a book analyzing the role of the media in California elections.*

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four reasons for this coming of age among the Bay Area newspapers:

• **Improved reader appetites for serious news, partly whetted by the press' chief competition, television.** Television clearly dictated the style and events of last year's national election. As W.E. (Bill) Barnes, the *Examiner's* political writer, puts it, "Television elected Ronald Reagan." But the editors of all five major Bay Area newspapers admit that they consciously responded to a perceived public appetite for political news. In the opinion of these editors, the immediacy of TV's political-campaign coverage has stimulated the reading portion of the population to want even more background and analysis of the nightly network snippets. Contrary to what many editors feared a few years ago — that TV would preempt all news interest — editors now feel it has increased demand for depth coverage in print.

The editors also perceive growing interest in interpretive news on world affairs and more concern with government and politics. They believe that Proposition 13's impact on local government services has stimulated interest in the news of local governments, too.

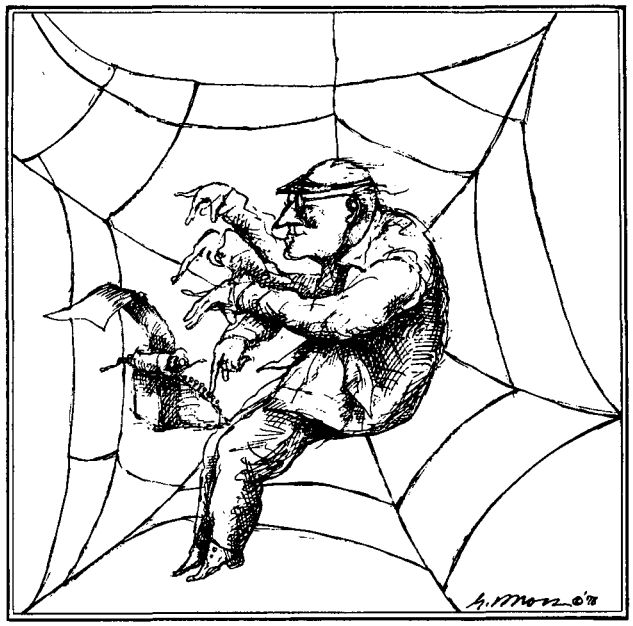
• **The arrival of new editors.** At the *Oakland Tribune*, the *Examiner*, the *San Jose Mercury News* and the *Peninsula Times-Tribune*, new leadership has injected an unusual element of competition into Bay Area journalism. The new editors have brought with them news values shaped by personal experiences in Washington and East Coast political coverage. Several of the editors have also been Nieman Fellows at Harvard, adding an academic perspective to their professional experience. But most striking was their similar backgrounds in political reporting. Naturally, they esteem it.

At the *Chronicle*, where top management has had the least change, the new city editor is Jerry Burns, who four years ago was chief political writer. Burns is the main reason for reporter Liebert's sense that he is blessed with "sympathetic editors." As Burns put it, "There hasn't been any mandate from on high. But as long as we've got such a talented reporter as Liebert and a staffer in Sacramento like John Balzar and a city editor who's a former political writer, there's going to be attention paid to politics on this paper."

Oakland Tribune-Eastbay Today Editor Robert Maynard was groomed to be a political reporter by Editor Ben Bradlee at the *Washington Post*. "So it is no surprise that I consider Gayle Montgomery's role as our political editor very important," Maynard says. "He is our David Broder; he is our expert. Our readers know him and rely on him."

Similarly, Murphy of the *Examiner* began his career writing politics for the *Atlanta Constitution* before he became its editor. Like Maynard and the *Chronicle's* German, he is a Nieman Fellow. When he arrived at the *Examiner*, the 1976 presidential campaign was under way. His reporter-friend Barnes, whom he brought west, had just completed *Time* magazine's cover story on Jimmy Carter. Both men plunged into the '76 coverage and managed hasty, "seat-of-the-pants" reporting. It was a sharp break from the past, when the *Examiner* has sent reporters across state lines only on sensational murder stories. "The driving force was always Reg," Barnes recalls. "He considers political reporting integral to any paper." Currently the *Examiner* has lodged Barnes in Washington to cover President Reagan's first hundred days; staff writer Carl Irving was also there for inauguration stories.

The *Peninsula Times-Tribune* has just opened its own Washington bureau to keep track of California news on the national scene — "an astonishing venture for a newspaper of 63,000 circulation," acknowledges Editor Burgin. His interest results from his own years covering the White House for Scripps-Howard and editing for the *Washington Star*. It also reflects the standards of the *Chicago Tribune*, owned by The Tribune Company which bought the Palo Alto and Redwood City papers in 1978. Under Burgin, they also established a Sacramento bureau in 1979, staffed by John Stanton. They sent political reporter Mark Simon on the road last year through both conventions and most of the campaign. Both Stanton for the *Times* and Simon for the *Tribune* had tracked presidential races before, but this year they had top-management commitment behind their efforts.



At the *San Jose Mercury News*, Larry Jinks arrived in 1978, after the Knight-Ridder merger, fresh from the job as editor of the Knight-Ridder flagship, the *Miami Herald*. To the consternation of the conservative, business-oriented readership in San Jose, Jinks promptly endorsed Jerry Brown for re-election as governor. Two years later, "the 1980 presidential campaign seemed a special California story," Jinks says. "Brown was making news at the start and Reagan coming in at the finish. Our readers had a close relationship to these candidates. They wanted that news." Rich in Knight-Ridder copy, plus wire and special services, Jinks nevertheless added to their political editor Dale Lane the paper's newly appointed Washington correspondent, David Hoffman, to follow candidate Reagan. "He did a brilliant job for the whole chain," Jinks says. Hoffman is now back in Washington to feed San Jose readers the news of Californians in power; Jinks moved up to be vice president for all Knight-Ridder metropolitan news. Robert Ingle, also from Miami, replaces him in San Jose.

Other California papers similarly felt that 1980 was a year mandating their coverage, even if they had never ventured so far afield before. UPI reporter Bob Dennison recalls one snowy weekend in Iowa when Governor Brown was so surrounded by California reporters that it was hard for him to find the Iowans he was there to reach.

The campaign propelled some reporters' careers eastward — in part because they knew Reagan and his aides, in part for the quality of their campaign work. Hoffman's move to Washington for Knight-Ridder was typical. Also sent to cover the White House was Diane Curtis, UPI Sacramento staffer who drew praise from all Bay Area reporters for her tenacious work on the Reagan campaign.

• **Competition for circulation and in news coverage.** The rivalries haven't become a "war" yet, but *Eastbay Today* radio ads openly claim to offer "more news than the *Chronicle*." German, *Chronicle* managing editor, notes comfortably that his paper's circulation is now at an all-time

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high (topping 509,000, tenth largest newspaper in the U.S.) and continues to grow. Even so, *Chronicle* editors are alert to changing circulation patterns. With San Jose presently the fastest growing city in the United States (136,000 added in the last decade), the *Mercury* and *News* are sure to grow beyond their present combined daily circulation of 220,000. They added 20,000 readers in the past three years. Recent price increases slowed this expansion some, as they did at the *Examiner*, but the latter has held its 155,000 daily total firm, contrary to a pattern of decline in most afternoon papers.

Oakland has taken on a new image as a strong, well-identified metropolitan center in its own right, thanks in part to its ports, its Raiders, its airport and its emerging downtown developments. Contributing strongly to this new image is the *Oakland Tribune/Eastbay Today* which has abandoned the stodgy Republicanism of the Knowland era of ownership and the miserly, canned-news approach that typified the ownership by Combined Communications. Now the *Tribune* and *Today* offer solid news, packaged into sections for easy consumption. After three different ownerships in four years, the papers have matured into a well-designed alternative to the *Chronicle's* style. Editors throughout the state and nation speculate about how long the Gannett-owned paper can survive at such a quality level without earning its own way. But the Oakland *Tribune* tucks into a corner of Page One its current circulation (208,000) compared to the previous year's figure, showing a 21,000 gain.

Editor Maynard says, "Too many in journalism lack faith in the people's intelligence. I'll stake my career on this paper succeeding. I want the most serious people out there reading it. We'll try to make it interesting and lively, but there are serious subjects to be dealt with these days, and the only way a newspaper can succeed is by taking them seriously."

Profiles of the press

The five major newspapers which reach San Francisco Bay Area readers:

SAN FRANCISCO CHRONICLE

Morning daily (joins in portion of Sunday editions with the *Examiner)* founded over 117 years ago by the deYoung family and remaining in family control. Richard Tobin Thieriot, current publisher. Tenth largest daily in the nation, circulation 509,000. It is produced jointly with the *Examiner* by their common business arm, San Francisco Newspaper Agency.

Involved in political coverage:
Managing editor, Bill German
News editor, Jack Breibart
City editor, Jerry Burns
Reporters:
Larry Liebert, political correspondent
John Fogarty, Washington bureau chief
John Balzar and Steve Wiegand, Sacramento bureau
Occasional others: Mike Harris, Jerry Roberts, Marshall Kilduff

SAN FRANCISCO EXAMINER

Afternoon daily owned by Hearst Corporation, circulation 155,000; joint Sunday publication with *Chronicle*.

Involved in political coverage:
Publisher, Reg Murphy
Political writer, W. E. (Bill) Barnes
Washington bureau, Tom Eastham
Staff writer, Carl Irving
Sacramento bureau chief, Gale Cook; Steven Capps
National/foreign editor, Roberta Hess

OAKLAND TRIBUNE/EASTBAY TODAY

Added in mid-1979 to Gannett's 80-newspaper chain after being published by the Knowland family since 1911 and for two years by Combined Communications Corporation, *Eastbay Today* is a 10-cent morning street-sale paper begun a year ago; *Tribune*, an evening paper daily and Sunday. Combined daily circulation 208,000.

Involved in political coverage:
Editor, Robert Maynard
Managing editor, Roy Grimm
Political editor, Gayle Montgomery
Sacramento bureau, Virgil Meibert
Gannett Sacramento bureau, Eric Brazil, Vic Pollard

SAN JOSE MERCURY NEWS

Long-time Ridder papers notably changed after Knight chain merged with Ridder in 1977. *Mercury*, morning daily; *News*, evening. Combined daily circulation, 220,000; Sunday 270,000. Publisher, P. Anthony Ridder.

Involved in political coverage:
Editor, Robert Ingle (succeeding Larry Jinks, editor since 1978, moved to Knight-Ridder as vice president for metropolitan news)
Managing editor, *Mercury* John Baker
Managing editor, *News* Frank Bonanno
Assistant metro editor (overseeing political news), Patrick Dillon
Political editor, Dale Lane
Washington bureau, David Hoffman
Washington Knight-Ridder bureau, Tom Fiedler
Sacramento bureau, Bob Schmidt, Chuck Buxton
San Francisco bureau, Susan Cohen

PENINSULA TIMES-TRIBUNE

Merger of two local papers, *Palo Alto Times* and *Redwood Tribune*, both of which had been owned by Peninsula News Incorporated. Purchased 1978 by the Tribune Company of Chicago, which also owns and publishes the *Chicago Tribune*. Combined into one afternoon paper in 1979. Circulation 63,000.

Involved in political coverage:
Editor, David Burgin
Managing editor, Glenn Brown
City editor, Bill Shilstone
Reporters: Mark Simon, staff writer
John Stanton, Sacramento bureau
Chris Reidy, Washington bureau
(Court house bureaus at San Jose/Redwood City and general bureau at Sunnyvale)

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Outside of San Francisco, some editors remain critical of the *Chronicle* for failing to treat political news with continuity or to take bold editorial stands. They charge the *Chronicle* with responsibility for the Bay Area's unfortunate journalistic reputation. "As the biggest paper, it's the recognized symbol," one says. "Granted that the Eastern papers are over-fascinated with politics — they think government is life, and of course it isn't. But the level of coverage in the *Chronicle*, especially on local and state government, is appalling. It doesn't have a commitment to give readers day-by-day familiarity with the process of government. It needs credibility. The *Chronicle* will have to change or change will be forced on it."

Other observers, however, notice improvement. Richard Reinhardt, University of California journalism lecturer, finds the *Chronicle* far better than four years ago and praised especially Liebert's "campaign as drama," the Mike Harris stories on congressional races and Marshall Kilduff on supervisorial contests. But he still faults the *Chronicle* for lack of consistency.

The *Chronicle's* own view of what is happening comes in a parable from editor German: "If you live on a street where every householder gets busy painting, fixing up and modernizing, after a while you begin to look at your own house . . ." He calls the new competitive sense healthy.

Several episodes in recent Bay Area political reporting are worth noting. One which got attention across the country was the first newspaper endorsement for presidential candidate John Andersom from the *Peninsula Times-Tribune*. "We knew people would dismiss this as a stunt, but it wasn't," says editor Burgin. How much this influenced Knight-Ridder papers cannot be known — San Jose editors say none — but the *Mercury* followed suit and also endorsed Anderson. The former Illinois congressman is presently lecturing at Stanford.

Not so notable nationally but a good example of new initiative was the *San Jose Mercury News'* attempt to expose political direct mail to public scrutiny. Early in the campaign, Editor Jinks wrote critically of direct mail for the ease with which it can be used to distort or mislead. Because it is private, it is rarely subject to public scrutiny or "impartial monitoring," he said. The paper announced it was asking all local candidates to provide samples of their mailings and said it would reserve the right to withdraw newspaper recommendations if such letters ran counter to a candidate's public commitments. It did withdraw endorsements in two cases. Opening up direct mail political messages to such attention sharpened public awareness and applied creative journalism to the campaign process.

In addition, the San Jose papers paid special attention to all local races. "Our concentration on local contests got a lot of community attention," Jinks says. "It was new here. We were trying to offset public skepticism about government by an extensive commitment to local politics so that people could find some figure to believe in. We worried about how much faith in government has been shaken."

Such attention to district races was seen elsewhere. For the first time, the *Chronicle* sent reporters to Southern California to write about hot contests there. At the *Oakland Tribune* Montgomery says as many as five city room staff members were assigned to write about local contests, providing a pre-election package more detailed than ever before.

- **Eager, can-do reporters, itching to tell a story.** "Reporters got their blood up," says Jerry Burns, *Chronicle* city editor. At every Bay Area paper, writers' zeal made a difference last year. At the *Examiner*, Barnes was ready to go, but Carl Irving worked his way from the city staff onto the team by his own initiative and determination to get into the political field. On the *Oakland Tribune*, Montgomery was sidetracked during the "clip-and-paste" era of Combined Communications ownership, but Gannett editor Maynard values Montgomery's political expertise and has moved him back as political editor.

But it was at the *Chronicle* particularly that a reporter's persistence paid off. Vacationing in the East in the fall of 1979, Larry Liebert swung around to New Hampshire to pick up Governor Brown who was venturing out on an early test run. "I saw the story value to Californians. I wanted to do it," he recalls.

Liebert got out maps, found a friendly travel agent and pinpointed the important primaries, the conventions, the major regions that had to be analyzed, the costs of travel. "I just about doubled reasonable estimates in travel and hotels, to be in the ball park, and it's lucky I did," he says. "Air fares shot up during the campaign." With schedule and proposed budget in hand, he approached his editors. It was the most ambitious out-of-state reporting program ever considered for the *Chronicle*. The publisher agreed.

Costs were a blow. For the *Examiner* and the *Tribune*, expenses ran high because each sent an editor plus two reporters to conventions, key primaries and occasional trips to critical regions. Managing Editor Roy Grimm gave a minimum estimate that travel alone cost the *Tribune* $15,000. "You have to recognize that expenditure came on top of all the other things we were spending money on to move the paper's quality up, including a lot of sports travel," Grimm says. "What's remarkable is that we had plenty of Gannett copy on the campaign, along with wire and other services. We could have stinted. But it's indicative of Maynard's keenness for political news that we didn't."

Maintaining momentum

The *Examiner* had an edge in planning coverage, due to its experience in the 1976 campaign. On that base, Murphy began in late 1979 to work out strategy with Barnes and Carl Irving, dividing the country up into regional segments to be probed. They made one error: They intended to concentrate most on the West. "We felt no one else was paying much attention to the West and we were admirably placed to become experts on western politics." It turned out that the West simply didn't matter in the 1980 presidential campaign. They did some readjusting, though regional differences still fascinate Murphy. Irving hopes to travel western states in coming months to discover what Reagan conservatism is doing to them.

The *Examiner's* best moment may have been at the Republican convention during the choosing of a Reagun running mate. Murphy credits Barnes with the contacts that brought them so solid an inside version of the Reagan team's plans that, while the entire nation was speculating about a Jerry Ford boom, the *Examiner* was on the street flatly asserting that Ford was out. It was a genuine scoop, although for several hours it seemed a disastrous mistake. "A lot of people thought we were crazy," Murphy recalls. "Then they found out we'd been right."

Having launched such full-scale political reporting, San Francisco Bay Area newspapers cannot lightly abandon it, in the view of Jerry Lebenow, San Francisco bureau chief for *Newsweek*. "They've got a momentum they'll have to maintain," he says.

But the *Chronicle's* Editor German likes to ponder how to do it better next time: "Maybe it's enough to have some pooled reporters at these public televised affairs — use our forces to scout out what's going on behind the scenes, or tell more about local races. I wouldn't eliminate all coverage by a local staff. But it seems unnecessarily wasteful. Think of the intelligence and vigor and curiousity in all those minds, concentrated on writing the same thing. Maybe the nation would be better off if they fanned out to examine the political process from a lot of different avenues."

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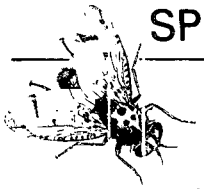


The political stakes in the Medfly infestation

By ERIC BRAZIL

The Santa Clara Valley Mediterranean fruit fly infestation has set in motion the biggest urban pest management program California has ever seen. It has also created a high-stakes political game in which the controlling forces are hope, fear and cool weather.

If medflies are airborne in significant numbers in the 500-square-mile quarantine area when warm spring breezes ruffle the prune and cherry blossoms, all hell is going to break loose.

- **Agribusiness and politicians** with agricultural constituencies will demand low-level aerial pesticide spraying to kill the critters that attack 50 commercially grown California crops.
- **Local government** representatives of the 1.3 million residents of the quarantine area and environmental and consumer organizations will go to the barricades to oppose spraying, and they'll take the state to court.
- **Governor Jerry Brown** will be under heavy pressure from opposing constituent groups to (a) order the planes up in defiance of local jurisdictions or (b) keep on doing what the state's been doing on the theory that, given a little time, the program will eradicate medfly.

What all of the players in the medfly game hope is that the $17 million Integrated Pest Management (IPM) eradication program, launched in late December, has been as effective as the men running it publicly contend. If it works, there'll be no need for aerial spraying, and Brown will be spared a decision that will alienate important voter blocs either way he acts.

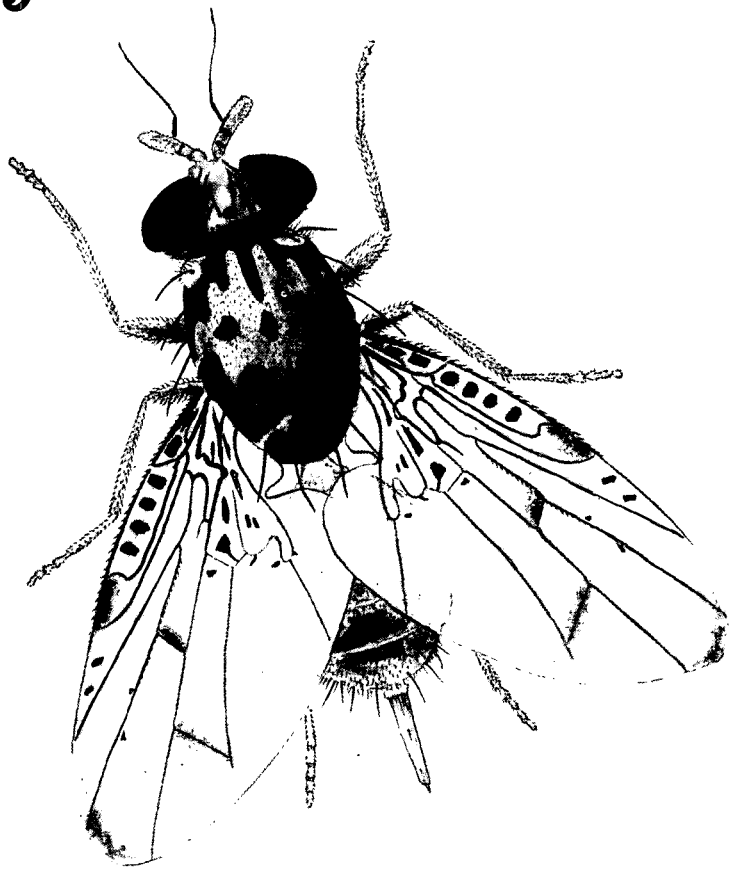
But there are a lot of skeptics in California's vast, $4-billion-a-year fresh fruit and vegetable industry. They regard the economic consequences of unchecked medfly spread to tree fruit, grapes, melons and tomatoes as too horrible to contemplate. They want an aerial-spraying commitment from Brown before the lawsuits are filed, and they think they've got it.

One of the worst

Medfly is a fruit and vegetable pest of wide-ranging appetites, which deposits its eggs directly into host plants. The resulting larvae make the produce unsalable.

There have been eight medfly infestations recorded in the United States since 1929. The Santa Clara Valley's, discovered June 5th, 1980, is one of the worst.

Eradication of all but one of the previous infestations involved aerial spraying of the organophosphate malathion in a bait solution. But California wiped out a small medfly infestation in Los Angeles County between June and December last year, using essentially the same IPM techniques now being employed in the Santa Clara Valley and without aerial spraying.



Mediterranean Fruit Fly
(Ceratitis capitata)

ILLUSTRATION BY CHARLES S. PAPP,
STATE DEPARTMENT OF FOOD AND AGRICULTURE

The California Department of Food and Agriculture (CDFA) has calculated the total annual economic impact on agriculture at $535 million — plus an undeterminable amount in lost export markets and urban control costs — if medfly breaks out of the quarantine area and spreads statewide.

CDFA is convinced that California farmers can't live with medfly and won't. A worst-case assessment of the economic loss to California from unchecked medfly spread, taking in the multiplying factor of five to 10 as crops move from field to consumer, is $15 billion, according to CDFA Deputy Director Hans Van Nes.

"I can assure you that everyone understands that eradication is the only option and that we will eradicate the fly no matter what it takes to do the job," said Jerry Scribner, the CDFA associate director who heads the Santa Clara County Mediterranean Fruit Fly Eradication Project.

CDFA is fighting a two-front war against medfly. One is the attack on the pest in the backyards and orchards of the Santa Clara Valley. The other is a jawboning campaign to persuade other states that California's program is effective, in order to

Eric Brazil is the Capitol bureau chief for Gannett News Service.

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avert multiple interstate quarantines that would gum up the state's intricate marketing system and cost agriculture a bundle. Mexico and Taiwan sent chills up agribusiness' spine in January by imposing quarantines on California produce grown in the Santa Clara Valley.

A slow start

Unfortunately, as everyone now agrees, the state was late in rolling out the heavy anti-medfly artillery. The U.S. Department of Agriculture also has been criticized for inadequate monitoring for medfly throughout California. Since Governor Brown assigned CDFA to the problem, the department has been playing catch-up with a vengeance. "It's regrettable that we didn't get a quicker start on what has proved to be a fairly deep and widespread infestation," CDFA's Director Richard Rominger admits.

The department announced last December that it would try aerial spraying of a malathion-bait mixture over 115 square miles in the core area of infestation. But that plan was greeted with strenuous opposition from the 14 separate jurisdictions in the area, their elected representatives and environmental and consumer organizations, so CDFA backed off.

Malathion is a common pesticide, widely applied to control home garden insects, and it has low acute toxicity. A State Department of Health Services study said that it is just one twenty-fifth as toxic, orally, as the active ingredient used in flea collars for dogs and cats and rates the public health risks of aerial spraying as "insignificant." Nevertheless, it's powerful enough to damage automobile paint, and the spectre of squadrons of "pesticide bombers" spraying San Jose, Palo Alto, Los Gatos and other communities in the quarantine area angered the folks down below.

"There's been no flying application of malathion since Rachael Carson came along," says Scribner, referring to Carson's book *Silent Spring*, which ignited the environmental movement two decades ago.

Consequently, CDFA launched a three-pronged program: release of more than 100 million irradiated, sterile medflies weekly, a backyard fruit-stripping program and spraying trees in the quarantine area with malathion bait from 138 ground rigs. Steriles trick "wild" medflies into unproductive sex; fruit stripping removes host plants; spraying kills medfly larvae and adults.

About 2,000 workers from the California Conservation Corps, Caltrans, State Division of Forestry and the National Guard — as well as some paid coordinators — were thrown into the battle, which Governor Brown delcared a state emergency in a Christmas Eve executive order.

Between January 6th and February 6th, state crews removed more than 2,000 tons of host fruit from back yards and orchards — 100 percent of the fruit in the core area.

The fear of quarantine

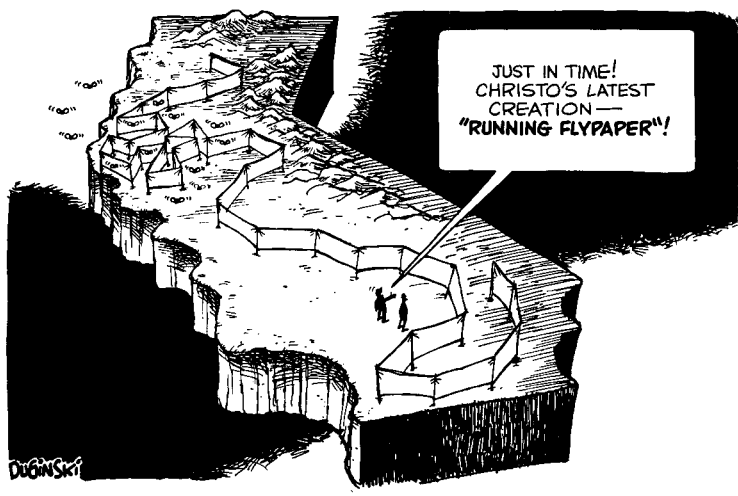
Whether the program has worked won't be known until the weather warms up and medflies in the pupal stage hatch.

Van Nes put its chance of success at 75 percent in recent testimony before two legislative committees. And Rex McGee, chief of CDFA's pest management division, said he's "damn confident" that the department's efforts will pay off with eradication.

CDFA's big fear — and Brown's — is that other states, worried that California has become a staging area for medfly attacks on their own produce industries, might start quarantining California fruits and vegetables. Rominger made personal visits to Lakeland, Florida, in January and to McAllen, Texas, in February to assure agricultural interests that the medfly infestation has been contained and to urge them to postpone quarantines. His plea failed in Texas, where Agriculture Commissioner Reagan Brown slapped a quarantine that would require fumigation or extended refrigeration of several crops, notably citrus and avocados. The Brown Administration staved it off temporarily only by a hurry-up trip to the U.S. Supreme Court.

Commissioner Brown asserted that he acted solely out of concern for Texas consumers and farmers. But it's a fact that Texas has been unhappy for 50 years with California's rigid quality standards for imported fruits and vegetables, standards which have been a barrier to Texas produce. Some California observers suspect that the commissioner's action was mainly political.

In the past, California agribusiness has complained about what it perceives as the Brown Administration's tilt toward the environmental movement. Yet agribusiness leaders have been uncharacteristically supportive of CDFA's moves so far. They assume that complaining would only hurt agriculture by suggesting a lack of confidence in the effort under way.



Assemblyman John Thurman of Modesto, who is regarded as "Mr. Agriculture" in the Legislature, and Assembly Minority Leader Carol Hallett have ramrodded an effort to create bipartisan support for the program. Freshman Senator Dan O'Keefe of Cupertino, whose district includes the quarantine area, is the only legislator who hasn't been persuaded to bite his tongue over misgivings about the program's effectiveness. His shotgun criticism of CDFA's inadequacies has been met with an effort by his colleagues to shut him up.

Local government also has given strong support to CDFA's program since the aerial-spraying proposal was dropped. The Santa Clara County Board of Supervisors and several city councils have gone out of their way to urge cooperation with the backyard fruit stripping and spraying efforts.

The same goes for environmentalists, but they believe CDFA made mistakes in the early phases of the program. They insist that its effectiveness shouldn't be judged too swiftly if there's a noticeable medfly hatch in the spring. "They're going to be catching some flies as the weather warms up, but that's no cause to think we're losing the battle," said Steve Dreistadt, a San Francisco researcher for Citizens for a Better Environment.

Texas agriculture commissioner Brown observed ominously that aerial spraying is the only evidence he'll accept that California is dead serious about getting rid of medfly. That message has impressed agribusiness leaders, who are putting heat on Governor Brown. They want him to make an unequivocal commitment to begin an aerial spraying program if it becomes clear that the IPM program hasn't eradicated medfly by this spring.

CDFA is trying to lay the psychological groundwork to pre-

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pare the public for accepting aerial spraying even as it makes contingency plans for escalating the medfly war. "I don't think we are ever going to have to use the bait option," Scribner told a legislative committee in late January. "The earliest, in my opinion, we might have to consider it would be April or May."

Not all the voices Governor Brown is hearing are as patient or optimistic. "I guarantee there will be more embargoes or fumigation orders if we don't do something," says Walter Tindell, president of Blue Anchor, a Sacramento produce cooperative. "We've been playing games. We've got to get going with the spraying. There's no way we can fumigate millions and millions of pieces of fruit." U.S. Senator S. I. Hayakawa also got into the act recently with a demand for immediate aerial spraying.

The betting around Sacramento is that Brown may try to finesse the spraying decision and possibly buck it up to the U.S. Department of Agriculture. Whether the state or USDA can in fact override local jurisdictions and order aerial spraying is a legally cloudy issue, although a 1979 attorney general's opinion says it can. Agriculture would like to have the question settled before there are many medflies aloft, to avoid last-minute delays that would keep the planes on the ground.

Errors and examples

CDFA critics contend, and the department itself concedes, that the eradication program has been fraught with error. First there was the late start. Then 144,000 gallons of the pesticide Baytex were used as a soil drench, an effort which proved ineffective. Next a malathion solution used in the early ground spraying proved to be too diluted. Finally, there were too few traps to monitor medfly levels and a lack of quality control in the release of steriles.

Environmentalists appear genuinely puzzled by agribusiness' apparent faith in aerial spraying to do the job if the integrated pest management program doesn't. They suspect that agricultural interests are worried that the IPM program's very success could pose political problems for the pesticide industry down the road. The medfly war is a showpiece for IPM, and if it succeeds, those who have been insisting that California agriculture overloads the environment with pesticides will find it hard to resist saying "I told you so" in future pesticide controversies.

"They (CDFA) haven't done it right so far, but if they do it right, I think it's going to work," says Mary Haan Shinoff of Berkeley, director of the Coordinating Committee on Pesticides, an umbrella organization representing dozens of environmental, consumer and labor groups.

"There's very little basis for contending that aerial spraying will be more effective than ground spraying," Dreistadt says. "Ground spraying is putting the pesticide right where you want it. It's more finely tuned."

"The reason we have this problem is that government basically bungled it, and the public has to face the possibility of getting sprayed by a chemical for which the toxicological data is ambiguous at best," Shinoff adds.

Sharon Miller of the Coordinating Committee on Pesticides warns that aerial spraying will also kill beneficial insects such as bees, ladybird beetles, parasitic wasps and sterile medflies, along with the targeted "wild" flies. "If you kill off the beneficial insects, you get something worse," she says.

Whatever the short-term decision on spraying, CDFA is taking precautions so that the state isn't surprised by medflies again. It is supporting a bill by Assemblyman Jim Costa of Fresno to appropriate $1,357,320 for a dense network of traps to detect infestations early. It also supports legislation by Assemblyman Richard Lehman of Clovis which would provide $500,000 as the state's share of a $4 million USDA laboratory. The lab, to be built in Hawaii, would provide a permanent source of sterile medflies. The department is also establishing a temporary sterile medfly production facility in downtown Honolulu, which should provide a supply of 75 to 100 million steriles per week beginning in April.

No one can accuse the Brown Administration of being stingy with the medfly war. There have been fewer than 200 finds of wild medflies and larvae in Santa Clara and Alameda counties — the last in late January. That works out to about $75,000 per find.

The most serious medfly infestation in U.S. history occurred in 1956 in the Miami, Florida, area, which was sprayed with much higher dosages of malathion than the 2.4 ounces per acre proposed for the Santa Clara Valley.

"No adverse health effects were noted in these applications," according to the Department of Health Services report to CDFA. But the Miami aerial spraying did have one significant unpleasant effect: It ruined the paint jobs on several hundred automobiles. That fact alone may give the Brown Administration pause in issuing an order to send up the planes. Some politicians are brave or foolish enough to jeopardize public health for economic reasons, but mighty few have the nerve to mess with people's cars.

BROWN *Continued from page 130*

McCarthy had it taken away from him partly because he was running for statewide office.

Even those who wish Brown the best say that his biggest handicap may be his flamboyant personality. "There's no black politician in the country who is equal to Willie Brown in political ability," says Assemblywoman Waters. "There may be black politicians who, if thrust into a statewide race, could pull more votes. It's not because they are smarter or brighter than he is, but because they are weaker on the issues and more fearful of offending people. Willie Brown frightens white folks. White folks like Willie Brown because of his wit and his charm and his ability, but he's also a little frightening because he dares to be and he dares to say what's on his mind."

The ethical issue

Another potential problem for Brown is an ethical one. In his law practice, Brown has made a specialty of representing wealthy developers and financiers before local planning bodies in San Francisco and, to a lesser extent, before state agencies. His work with state agencies has already drawn criticism from the Fair Political Practices Commission, which is concerned about lawmakers unduly wielding their political influence on behalf of paying clients. In addition, the *Los Angeles Times* has published exposés about Brown's legal work in San Francisco.

Brown angrily denounces such criticism, insisting that he is not stepping over the line. And he adds: "I don't know any black politician in the state who was coming close to power that wasn't attacked in some manner by the *Los Angeles Times*, whether legitimate or otherwise."

But as for his future, Agnos has another view. "He doesn't need a particular office to be successful at what he wants to do," Agnos says. "I think that all he wants to do is to be Willie Brown. A couple of years ago a Senate seat opened up in San Francisco, and somebody said it was his if he wanted it. But he said, 'I don't need that.' I don't think he has a specific office in mind. I think jobs will come to him. The speakership came to him. He didn't go after it. I don't think he will make the mistake that previous speakers have done, of getting out in front and running for something."

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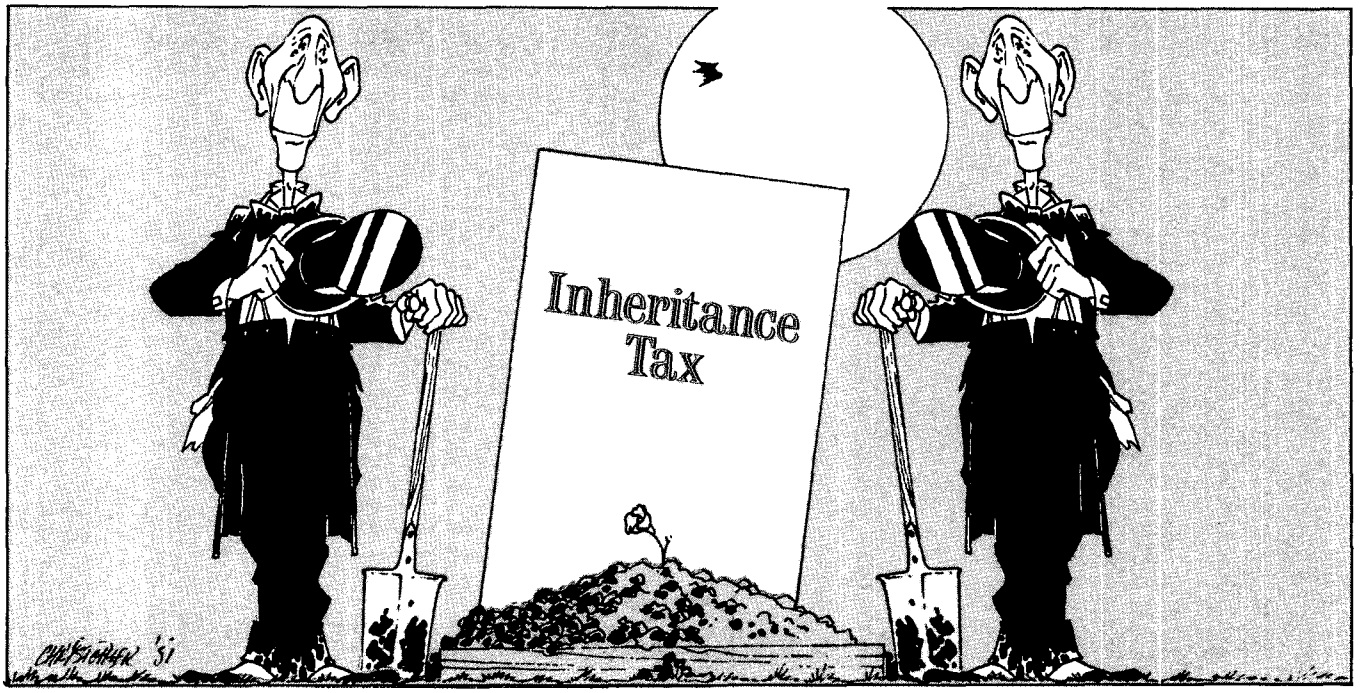
The drive to abolish state inheritance taxes



By SUSAN MADDEN JOHNSON

Widows and orphans will soon be making their political debut in California. They will be featured in the next statewide election as the stars of two similar initiatives which would, if passed, repeal all California gift and inheritance taxes.

Actually the Legislature took pretty good care of the widows (and widowers) in their last session, when they performed a major overhaul on previous inheritance and gift tax laws. One of the provisions of the new law exempts from inheritance and gift taxes all property transfers between spouses. It's the orphans (and other beneficiaries) who would benefit from passage of the initiatives. The issue will appear on the next statewide ballot, scheduled for June 1982. However, if Governor Jerry Brown calls an earlier special election for a Peripheral Canal initiative, the inheritance-gift tax questions could appear on the same ballot.

Before last year's revisions, California's inheritance taxes were the highest in the nation and 200 percent above the national average. (They now rank 12th nationwide.) Until the past few years, when property values began to soar, such taxes had little impact on middle-income families whose homes constituted the bulk of their estates. But as the value of modest homes skyrocketed, the $60,000 exemption allowed for spouses (and far less for other beneficiaries) began to look smaller and smaller.

In addition to exempting taxes on property transfers between spouses, the new bill (AB 2092), which took effect January 1st, makes these changes:

- **It increases the amount** of an inheritance or gift which is exempt from taxation for all other beneficiaries. For instance, the exemption for minor children was increased from $12,000 to $40,000; for other lineal relatives (adult children, parents, grandchildren, etc.) from $5,000 to $20,000. For other relatives (brothers and sisters, nephews and nieces, sons and daughters-in-law), the exemption was raised from $2,000 to $10,000. Exemptions for non-relatives went from $300 to $3,000.

(The bill did not change the tax rates which are based on the value of the property and the relationship between the deceased and the beneficiary. For instance, sons and daughters are subject to the lowest tax rates: from 3 percent on transfers of up to $25,000, to 14 percent on transfers valued at over $400,000. Non-relatives are subject to the highest rates: from 10 percent on transfers up to $25,000, to 24 percent on transfers valued at over $400,000.)

- **It allows qualified farms** and closely held businesses, under certain conditions, to be valued on the basis of their current use, rather than on their fair market value as under prior law.
- **It allows an estate** to be distributed to the heirs or beneficiaries before the tax due on it has been collected. Under prior law, estates generally could not be distributed until the tax had been paid.
- **It permits taxpayers** to defer payment of inheritance taxes for up to 10 years with reasonable cause.

The changes made by AB 2092 amount to a cut of 27 percent in state revenues from inheritance and gift taxes — about $200 million annually when their full impact is felt.

Susan Madden Johnson prepared this article as a Journal *intern from Sacramento State University.*

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The two initiatives will have the same title on the same ballot and with the same intent. Distinguishing between the two will be difficult even for attorneys and almost impossible for most voters. If both propositions should pass, the one with the most votes would prevail in areas where there is conflict.

One of the measures originated with Assemblyman Don Rogers, who has introduced a bill to abolish state inheritance and gift tax laws annually since 1979. The first time his bill was pigeonholed in committee, he decided to go directly to the voters with an initiative.

At about the same time, a San Francisco attorney named David Miller was starting a similar drive. When Rogers found out about Miller's initiative, he contacted the attorney and suggested combining their efforts. Rogers had been warned about the pitfalls of poor wording and the problems it could cause and wanted to be cautious. Miller was satisfied that his wording would stand up in court and was anxious to try to qualify his measure in time for the November 1980 ballot. Rogers didn't want to rush things, so Miller proceeded on his own. He failed to get the necessary signatures in time for November but qualified it for the next statewide election.

Rogers, after consulting attorneys throughout the state, led a drive that collected 230,000 more valid signatures than were necessary to qualify his proposal.

Both initiatives would achieve one major goal: repeal of all state gift and inheritance tax laws, eliminating these levies entirely except for a federal "pickup" tax. (Federal law provides that it will share federal estate taxes with a state only if the state has an estate tax. Otherwise the federal government keeps it all. The "pickup" provision would allow the state to share in the federal taxes but would not increase the amount paid by the taxpayer.)

The differences between the two propositions are mostly technical:

- **The Miller initiative** specifically states that it is to become effective January 1st, 1981. (This is because Miller intended his measure to be on the November 1980 ballot.) The Rogers initiative states that it applies to all transfers made on or after the date of voter approval. According to the California Constitution, neither can become effective until the day after it is approved by the voters.
- **The Rogers proposition** contains language that specifically prohibits the state, or any subdivision of the state like a local government, from imposing any similar taxes and calling them by another name. The Miller proposition does not have a similar provision. Miller maintains this additional wording is unnecessary.

In addition to dealing with the confusion of two similar initiatives, voters will also have to differentiate between state inheritance taxes and federal estate taxes. Only state taxes would be affected by the initiatives.

The two are quite different: The state tax is based on the value of the inheritance received by each beneficiary and the relationship of the beneficiary to the deceased. In contrast, the federal tax is based on the total value of the deceased person's estate, no matter how many beneficiaries their are. Under federal law, estates of less than $175,625 are not taxed at all. But above that figure, taxes start at 18 percent of the first $10,000 and go up rapidly, taking a much bigger bite than state taxes. For instance, the estate of a decedent with no surviving spouse and a net worth of $300,000 which passes to three children now would pay state inheritance taxes of $12,450. The same estate would pay $37,200 in federal taxes under current laws. However, if no state taxes were paid on the estate the amount of the federal estate tax would increase to $40,800 — a difference of $3,600.

This is where the "pickup" tax comes in. If either initiative were to pass, the state would be required to make corresponding changes in its tax structure so the state would be eligible to pick up that $3,600. Thus, the actual impact of the initiative, for this particular example, would be the difference between the $12,450 (which the state would collect under current law) and the $3,600 (which they would collect if one of the initiatives passes), or $8,850.

Cutting confusion

When campaigning begins, backers of the two initiatives intend to urge voters to cast "yes" ballots for both. That would minimize confusion, they hope. The important arguments, then, are between those who favor abolishing inheritance and gift taxes and those in favor of retaining them.

Proponents of the initiatives make these points:

- AB 2092 gives relief to spouses, but it only postpones the time at which an estate is taxed by an average of eight years — the life expectancy of a surviving spouse.
- The present law is a form of double taxation, since most of the properties and assets hit by inheritance taxes have already been taxed through income taxes, sales taxes and real estate taxes.
- Inheritance taxes are actually a "death tax," penalizing persons during a time of great sorrow. Emotional stories will describe beneficiaries who were unable to pay their state inheritance taxes without selling homes, farms or small businesses that had been in the family for years. Many estates do not have enough liquid assets to cover the taxes, so forced sales result in great personal and financial losses.
- Low- and middle-income families are hurt most by "death taxes." "The wealthy have their assets protected already," Rogers says. "They can afford to hire good legal talent to protect themselves. They have their money in things like tax-free foundations and trust funds. They can also afford to pay their taxes without having to liquidate their assets."
- Abolishing gift and inheritance taxes will improve the economic climate of the state, making up the revenues lost (about 1.5 to 2 percent of the annual state budget). If the dollars are left in the private sector, people will save or invest them, stimulating the economy with more money for loans and business expansion and providing more employment opportunities.
- The intent of inheritance taxes is to redistribute wealth. As Rogers states in his ballot argument, "The inheritance tax is based on the repulsive assumption that people have no right to inherit, and government should tax inheritances to 'redistribute the wealth.' "

Opponents of the initiatives use these arguments:

- AB 2092 went far enough by exempting spouses from all inheritance and gift taxes and raising exemptions for all other beneficiaries. Under existing laws, the burden of these levies falls mainly on the wealthy. Millionaires represent less than 1 percent of those who die in California, yet their estates pay more than 25 percent of the gift and inheritance taxes.
- Medium-sized estates now pay a small amount of inheritance tax. For example, according to a 1978-79 Department of Finance study, 75 percent of the state's inheritance taxes were paid by 25 percent of the beneficiaries, those inheriting estates of over $200,000.
- Special provisions are made for hardship cases, and those provisions have been strengthened by AB 2092. If beneficiaries are unable to pay their inheritance taxes, arrangements are made through the state controller, allowing taxes to be paid off over a period of years.
- "Death taxes" are an acceptable form of revenue for several reasons. "The foremost argument in support of death taxes is the historical consensus in America that it is undesirable to permit too great a degree of wealth and income inequality," says Bob Leland, committee consultant for the Assembly Revenue and Taxation Committee. "For the past

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two decades at least, the richest one-half of 1 percent of all U.S. citizens owned 22 to 25 percent of the nation's total personally held wealth." By taxing small estates at lower rates than large estates, the tax provides a means of breaking up some of the largest fortunes which are composed primarily of inherited wealth, some of which has been passed on for several generations.

- The one-time nature of inheritances makes recipients better able to pay a tax than other persons who receive regular income such as salaries.
- A "death tax" has fewer adverse effects on savings and investments than raising other existing taxes.
- The state is facing serious budget problems. If inheritance and gift taxes are abolished, state revenues would be reduced by about $200 million the first year, $365 million the second year, and $460 million the third year when the full impact would be felt. Since inheritance and gift taxes go into the general fund, their loss would reduce the amount of fiscal relief the state can give to local governments and schools which are beginning to feel the impact of Proposition 13.

Straining the budget

Governor Brown has not taken a position on the initiatives, but he has pointed out that approval of either of the measures will aggravate an already-strained state budget. "We've set the Guinness Book of Records for tax relief," comments Gray Davis, Brown's chief of staff, "and we've dropped from the third state to the 25th in taxation."

Voters have reflected a disenchantment with the California tax structure in recent years. The initiatives are apparently two more examples of what can happen when legislators don't move fast enough or far enough to suit their constituents. Steve Smith, executive director of the California Tax Reform Association, admitted in a recent memo to members: "There is no doubt that were this measure on the ballot today it would pass." However, he said, it can be opposed with "all of the same arguments that were successful in the campaign to defeat Proposition 9 (the Howard Jarvis income-tax-cutting initiative)."

Inflation and public dissatisfaction should work to the benefit of the initiatives. Plenty of campaign dollars will be available for their support, too. But, as Smith points out, the voters have been selective lately. They may decide that cutbacks have gone far enough, and that gift and inheritance taxes are still legitimate and less distasteful than other taxes.

Rostrum

Know your representatives

Life would be simpler if the California Constitution were amended to provide that it would have the same number of state senators as it had representatives in the House of Representatives and twice that number of assemblymen.

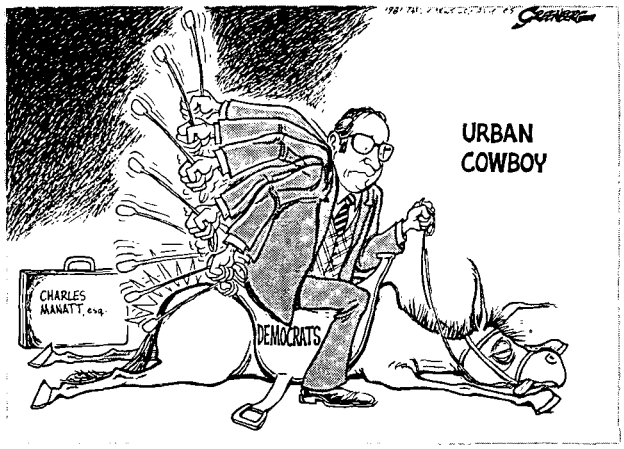
People could then have a structure of one congressman, one state senator and two assemblymen in the same geographic area.

This would help people to know their representatives in government.

It would do one other thing — it would provide a few more bodies for badly undermanned state legislative bodies.

ROBERT KAHN
Lafayette

Newsmakers



Californian in charge

Los Angeles attorney **Charles T. Manatt** was elected Democratic national chairman by acclamation. The former state Democratic chairman spent $75,000 campaigning for the job, and all other contenders dropped out of the race . . . State Superintendent of Public Instruction **Wilson Riles,** who was expected to retire after his current term, announced that he will run for reelection next year . . . A conflict within the state Public Broadcasting Commission resulted in the replacement of **Gerald Pearlman** as chairman with **Edward L. McClarty** . . . Superior Court Judge **Robert S. Stevens** of Los Angeles was censured by the state Supreme Court for making lurid phone calls to a former employee.

Appointments by Governor Brown: former Assemblyman **Victor Calvo** and state conservation director **Priscilla C. Grew** to the Public Utilities Commission . . . Former PUC member **Claire Dedrick,** to the Air Resources Board . . . Former state Senator **Lou Cusanovich** to the California Horse Racing Board . . . Business interests mounted a campaign to fight Senate confirmation of Grew's appointment.

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The 'respectable radicals' and the politics of Berkeley

By JOHN WESTCOTT

Berkeley politics, always rancorous and full of surprises, has a new twist this year. Berkeley Citizens Action (BCA), the formerly "radical" political party that had always fought the establishment from the outside, is now inside City Hall with a record to defend.

The issue that propelled BCA into power two years ago — rent control — is also the issue that bitterly divides the feuding factions this year. At stake in the April 21st city council elections are the fate of the city's embattled Rent Stabilization Board and the future of one of California's toughest rent-control laws.

There are some aspects of Berkeley's politics that are logical: The importance of rent control, for example, stems from the fact that renters form about three-fourths of Berkeley's population.

But other elements in the Berkeley political picture are confusing and downright ludicrous. There's an alphabet-soup quality to the names of the competing coalitions. And where but in Berkeley would a city official be arrested for spray-painting feminist graffiti on a liquor-store wall?

To understand the upcoming election and its importance, it's necessary to start with some background:

Coalition-style politics has dominated city elections in Berkeley since the early 1950s, when Democratic activists began battling the dominant Republican establishment. Republican rule ended in 1961 as the Berkeley Democratic Caucus (BDC) won a majority on the city council. From then until the Vietnam War, the Democratic Caucus held on to its majority. But anti-war sentiment split the ranks of Democrats in what had become a liberal university town. That split persists today, pitting left-wing activists against traditional Democrats.

Until 1979, the Democratic division had always worked against the BCA, which had become the standard bearer for the "radical" left. The group was plagued constantly by internal squabbles between hard-line "ideologues" on the far left, and the more practical, election-oriented "pragmatists." The BCA also tended to tie itself to losing issues, such as community control of the police and rent control.

A respectable issue

Ironically, it was rent control — the same issue that dragged the BCA to a crushing defeat in 1977 — that led to its new-found power in 1979. In between those two elections, Howard Jarvis' Proposition 13 had an effect which the conservative tax-cutter never intended. Jarvis' pre-election promises of rent rebates vanished amid post-election rent increases throughout the state, and the issue of rent control suddenly became respectable.

After Proposition 13 passed, rent-control laws popped up all over California, including a BCA-sponsored initiative which passed in November 1978. The political appeal of the proposal was effective in dissipating the group's radical image and helped the BCA win a majority on the council in 1979. It now holds three council seats and the mayor's office. The more moderate BDC controls four other council seats, and a ninth member, Carole Davis, provides a swing vote. Of the four seats contested in this month's election, three belong to the BDC and the fourth is Davis'. Thus the odds appear to

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favor BCA's chances of retaining control of the council.

But aligned against those chances is a new political organization calling itself the All Berkeley Coalition (ABC). Formed with the backing of landlords (there are about 4,500 in Berkeley) and other property owners, ABC's four candidates for election have been endorsed by the BDC.

In campaign leaflets and speeches, the ABC/BDC slate is attacking the "radicals" in City Hall and urging landlords not to register with the "vicious" Rent Stabilization Board. If the slate wins all four seats on April 21st, it can effectively fold the rent-control board, because city funding for the board ends on April 20th and six votes are needed for rent-control board appropriations.

The BCA will be no pushover, however. It has ties with activist Tom Hayden and his Campaign for Economic Democracy (CED). Hayden played a role in the BCA's 1979 success by contributing CED personnel and fund-raising through appearances with his actress-wife Jane Fonda. CED members have since infiltrated BCA ranks, producing fierce (though not publicly expressed) internal jealousies between them and BCA's more independent, local-oriented members.

The BCA also has important contacts in the Eastbay area. Led by Congressman Ronald Dellums, who began his political career as a Berkeley city councilman, the ties extend to Assemblyman Tom Bates, Alameda County Supervisor John George and even to gay San Francisco County Supervisor Harry Britt. The BCA claims close to 2,300 dues-paying members, making it one of the largest local political groups in the nation.

BCA leaders have worried that its far-left constituency could vent its frustration by either putting up its own candidates or by simply not voting. But so far the city's radicals appear willing to stay with BCA — at least until after the election.

Embarrassing problems

But if party strife is not a current problem, BCA has plenty of others:

- **The budget-squeezing** required by Proposition 13 has forced the council majority to scale down its hopes for progressive projects. Instead, council members spend much of their time in the frustrating business of balancing the budget. The tight budget is also a threat to the 30-odd community groups that receive city funding and make up a large part of the organization's political network. A voter-passed tax supporting the city's libraries helped to delay the politically dangerous task of slicing heavily into the community groups' budget this year, but city officials don't expect to be so lucky with their next budget.
- **Since only four** of the council's nine members are actually in the BCA camp, they have had to rely on the swing vote of Davis, a black originally elected by the BDC. Davis' vote, however, came at a high price. Among the perks she extracted for her key votes were an appointment as vice mayor, money for a full-time aide and the appointment as city manager of Wise Allen, an old friend and community-college administrator with no experience in city government.

The patience of BCA leaders with Davis finally ended this year after she first held up approval of the budget in return for funding for her favorite groups, and then stymied the appointment of a new housing director by announcing her opposition to the city manager's choice through an article in the *Berkeley Independent and Gazette*. Davis, who had hoped for endorsements from both the BCA and the ABC for a re-election try this year, found herself without support from either side; she dropped out of the race in January.

- **BCA has had to bear** the brunt of several embarrassing incidents. The worst was the arrest last December of the administrator of the city's rent-control program for spray-painting feminist graffiti on a liquor-story wall in nearby Albany. The incident also had impeccable timing, occurring just as the rent board was trying to persuade landlords to "obey the law" and pay their registration fees.

Last summer, the city proudly announced that it was arranging an $8 million financial package for an electric car plant seemingly destined to make Berkeley "Detroit West." But it was soon discovered that the inventor of the electric wonder, the "Exar-1," had a substantial criminal record, including a bank hold-up and bad-check passing. The basis for the car's remarkable performance claims also came under strong suspicion. City officials agreed to ask for additional tests and have been very quiet about the car ever since.

- **BCA's biggest headache,** however, has been the new rent-control law, successor to the weaker BCA initiative of 1978. Modeled after Santa Monica's strong measure and passed by city voters last June, the law left little time to develop complicated procedures and guidelines. The tenant-oriented board succeeded in alienating many landlords, who responded by promoting a strategy of resistance to the law. Nearly half of the city's landlords have refused to pay their registration fees, creating the unique possibility that the board could soon become bankrupt. The city council, realizing that its most popular issue could literally become unenforceable for lack of money, approved only enough money for the board to operate until April 20th — the day before the city election.

Closing ranks

Despite the problems, rent control remains enormously popular with tenants. BDC-backed council members already have appointed two landlords to the nine-member board and apparently are ready to appoint more should they win power in the election. So the BCA's campaign pitch is an obvious one: Vote for our slate or rent control goes down the drain.

If factions on the left are closing ranks with the BCA, so are moderates and conservatives coming together behind the ABC/BDC banner. The All Berkeley Coalition is basically an up-to-date packaging of the broad constituency the Berkeley Democratic Club used to have in previous elections, with a heavy dose of angry landlords and Republicans, who have "come out of the closet" in Berkeley for the first time since the early 1970s.

Led by Carole Sibley, a 78-year-old activist and the primary figure behind the city's landmark school-integration plan in the 1960s, ABC organizers are set on giving the BCA some of its own medicine this time, with plans for extensive precinct walking and more personalized campaigning. The group is also making a strong pitch for the votes of students, who have always gone in great numbers to the BCA and who on occasion have helped to swing elections.

Although ABC organizers insist they are running an issue-oriented campaign and shunning the extreme "radical-baiting" of recent elections, the one bond that ties the diverse coalition together is a common goal — to defeat the BCA. The four-page ABC platform is a highly general, "good-government" document, focusing its attention on the BCA, which the ABC charges with "willfully and knowingly dismantling the stability and prosperity of this community in favor of outdated, unworkable and expensively dangerous political experiments."

But will the anti-BCA approach work anymore? Some political observers doubt it. "The horrible things people said would happen if the radicals took over simply didn't come true," said David Mundstock, a former BCA council aide and student of Berkeley politics. "The BCA won and the sun still rose."

Despite their difficulties during the past two years, BCA leaders could well be given a chance to continue their experiments — as long as rent control remains popular and the sun continues to rise.

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Why the state parks face a troubled future

STATE DEPARTMENT OF PARKS AND RECREATION

By JENNIFER JENNINGS

If state-park activists were not positive thinkers, they could easily be a gloomy group these days. Costs of land and operations continue to soar; demand for parks increases; voters defeated two park bond issues last year and approved a third one only by a narrow margin. There is hardly an issue in state-park management that hasn't aroused controversy and political bickering recently.

Yet in the post-Proposition 13 era of tight budgets and conflicting needs, the officials and supporters of the Department of Parks and Recreation are still optimistic. They are convinced that Californians value their parks more than was indicated by the small margin of victory last November (52-48 percent) for a $285 million bond issue. And they know that — from the northern redwood groves to the southern desert's Joshua trees — the 1 percent of California that is protected in state park boundaries forms one of the best systems in the country.

In the past 30 years, both California's population and state-park acreage have more than doubled. But use of the system has increased 20-fold, to more than 60 million visitor-days a year. Over 1 million people were turned away from park facilities last year because of overcrowding.

But with such growth have come problems and controversy. In recent years, the state department has been criticized for faulty planning, inconsistent policies and a lack of response to fiscal constraints. Critics attribute some of these problems to the high turnover in department directors under the Brown Administration. That turnover is considered especially harmful in Parks and Recreation, since the department has been notorious for a high level of bureaucratic infighting among its different divisions.

The Brown Administration has had three directors in six years, in contrast to William Penn Mott Jr.'s eight-year term under Governor Reagan. The first director, Herbert Rhodes, was unfamiliar with the parks establishment and was never able to build a group of supporters in the Legislature. The next Parks director, Russell Cahill, was beset with difficulties, including his controversial designation of certain state beaches as "clothing optional" and his attack on legislators who he felt had been rude to him. Cahill resigned in June 1980 for personal reasons, and Peter Dangermond was chosen to be the new director.

Also last June, voters rejected Proposition 1, an ambitious, $495-million parklands and renewable-resource measure. Five months later they defeated Proposition 2, the Lake Tahoe Acquisition Bond Act. But they did approve Proposition 1 for park acquisition and development.

The big questions

As the new director, Dangermond faces most of the questions that plagued his predecessors:

- **Urban parks — who pays?** The Brown Administration has placed heavy emphasis on its urban parks plan. "The department needs to provide services to those people

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who have been under-served in the past," Dangermond says. "We should bring parks closer to where people live, both in response to the energy shortage and the high inner-city demand for recreation." But it has not been easy to integrate an urban parks program into the traditional policy that state park units exemplify "statewide significance." Bob Mark, chairman of the Northern California parks committee of the Sierra Club, explains: "While I strongly support the concept of urban parks, I do not think that the state should be asked to take over the role of the counties and cities."

The department has not yet clearly established an urban policy which details criteria for, and the level of, state involvement in urban areas. This has encouraged some urban districts to lobby for state status for local projects, so the costs of land and operation will be paid in Sacramento. The department admits that it is now managing several urban parks which are only meeting very localized needs.

The state has always helped local park districts through distribution of state and federal grant funds, but this money can usually be used only for acquisition and development, not operation and maintenance. Many local districts are strapped for operation and maintenance funds; new acquisition and development is out of the question. As a result of this bind, some legislators have added pet projects within their districts to the state system. The temptation for other legislators to do the same may be overwhelming when the Legislature decides on the allocation of the 1980 bond act money.

At least one influential legislator — Democratic Assemblyman Norman Waters, the new chairman of the Water, Parks and Wildlife Committee — believes that the department has put too much emphasis on urban parks. "Everyone is driving fuel-efficient cars these days," Waters says. "Rural parks are within driving distance of urban areas, and thousands of urban dwellers come to our parks and put a strain on them. The rural areas really need some assistance from the state."

- **More for Southern California?** There are some critics who believe that state funds are being used to bail out Southern California. They assert that while Northern California urban areas planned in advance and made substantial financial commitments to regional parks, Southern California did not. Now, these critics charge, a disproportionate share of the money is going there.

Dangermond, who worked in Southern California park districts for 17 years, reacts strongly to the allegation that Southern California is being favored. He states that Southern California was so ignored in the past that park leaders used to joke that the test of "statewide significance" was whether a park planner from Sacramento could drive to the proposed area within a day or would consider vacationing there. Dangermond insists that, under his leadership, the department will not favor any particular region.

- **How much more land?** The issue of acquisition versus development is a controversial one. Assemblyman Waters believes that the current level of state ownership may be enough. The ballot argument against Proposition 1 last November expressed the sentiment more strongly: "If the state keeps acquiring more land, we will soon be one big park tied together by bicycle trails."

Supporters of parklands acquisition believe that it must continue, even in the face of soaring land costs, because there are still under-served areas of the state and unique natural areas which, if not preserved, will be destroyed. William Penn Mott Jr., the former Reagan parks director who is now president of the California State Parks Foundation, believes that the department should continue to plan for the needs of future generations and acquire land in growing areas. But it is difficult to get legislators to take a long-term perspective, Mott concedes, since their terms of office do not recognize 25-year time periods. Mott is particularly concerned about the acquisition of natural areas: "People will increasingly need open space for recreation and contemplation. There is no way you can compare the value of the remaining redwoods to the state, nation and world, with the desire of some people to have redwood patio furniture."

Opponents of the department's acquisition program charge that the department does not develop its existing lands (with parking lots, campsites, etc.) to accommodate maximum use. The level of use for which a park should be designed is an issue which involves varying perceptions of a park's purpose.

Many conservationists dispute the charge that the state park system is underdeveloped. They believe that because of institutional factors — a strong development division, a strong landscape-architect bias, few national-resource specialists in the field — the department is more likely to err toward overdevelopment than underdevelopment. Mark, of the Sierra Club, uses an economic argument against intensive development, "The more development you have, the higher your operating and maintenance costs are likely to be."

- **Who should pay?** An increasingly sensitive problem for the department is the gap between its revenues and its operating-maintenance costs. Its ability to recover part of operation and maintenance costs has been steadily declining. In 1970-71, the department was able to recover 45 percent of its costs; in 1980-81, it will be able to recover only about 30.6 percent. And the legislative analyst's office expects the percentage to fall to 18.5 percent by 1985.

A survey by the National Association of Parks Directors indicates that California's current cost recovery is about average for state parks programs. Park supporters argue that the tax support for parks cannot be portrayed solely as a give-away to park users. Nevertheless, Democratic Senator Robert Presley, chairman of the Senate Natural Resources Committee, believes that Proposition 13 has forced a re-evaluation of the extent to which general fund money supports park services. "It may be undesirable," Presley says, "but one of the clear messages of Proposition 13 is that those who use a service should pay a substantial portion of the costs."

While there may be some sentiment for the system to be completely self-supporting, most parties believe that a 50-50 division is a more realistic goal. James Tryner, chief of the resources protection division of the department, believes that attaining a higher percentage from fees could erode the quality of the system and its ability to preserve historic and natural resources. Ross Henry, chief of the planning division, agrees. The department would have a hard time making natural and cultural units more cost-effective, Henry says.

The increase in crime and vandalism in the parks has contributed to a dramatic increase in operation and maintenance costs. Even so, Henry does not believe that it will deter the department from locating parks in recreation-deficient, high-crime areas. Says Henry, "Crime and vandalism will affect how we design the park and facilities; it will not affect where we put them."

Director Dangermond is considering a variety of proposals to reduce the department's operation and maintenance costs. Recommendations in a task force report include retrofitting state park buildings to reduce energy use, and encouraging non-profit corporations and community volunteers to assist in the operation of the parks. The department is concerned that using volunteers in the parks may raise the ire of state employee organizations. But the task force recommended experimentation with a program of "campground hosts" and improved camping-space management to

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Valley of the vehicles

Yosemite National Park has long borne the burden of being one of the most popular parks in the world. More than 90 percent of the park's visitors jam the Yosemite Valley floor, which is only seven square miles bisected by 30 miles of roads on which 1.5 million persons and 5,000 cars travel annually. On a busy summer weekend, there are more than 18,000 people (2,500 per square mile) packed into the Valley.

Over the past decade, the National Park Service has worked to remedy the problems in Yosemite, most particularly in the Valley. In 1974, a general management plan for the park was rejected by the Service director, in part because it was thought that special interests within the park exerted too much influence on the management decisions. Six years and countless hearings later, the Service last December finalized a general management plan for Yosemite. The plan has drawn wide support.

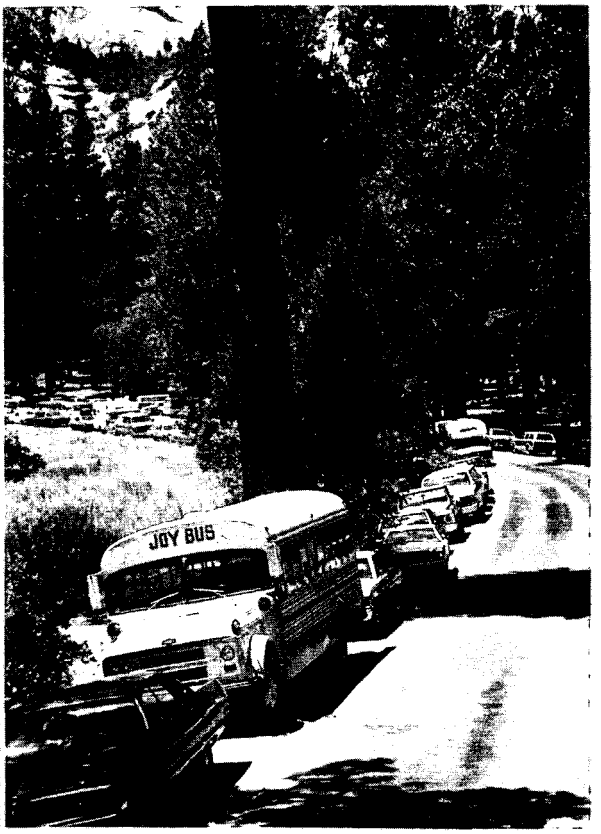
Here is what the plan proposes:

- **Imposing a day-use ceiling** of 10,530 persons in the Valley. Once that number is reached, access will be restricted and the overflow redirected to other portions of the park. Parking will be reduced in the Valley by 1,000 spaces. John Adams, chief planner for the Service in San Francisco, expects that people will be upset at first about the restricted access. However, he hoped that people will accept not being admitted to the Valley whenever they wish in return for having a less-congested, higher-quality experience when they can visit.

While a complete ban on cars is the ultimate goal of the Service, it is beyond the 10-year life of the new plan. The Service is currently working with the Federal Highway Administration on a study of the regional transportation system and its connection to the park. The goal is some feasible mass-transit solution which will be both practical and attractive to park visitors.

- **A slight increase** in campsites and a slight decrease in other overnight accommodations. Overnight backpacking in the park is already restricted by a permit system.
- **Relocation of park** and concessionaire headquarters and employee housing from the Valley to El Portal and Wawona. (The Service maintains that a lot of money would have to be spent to rehabilitate the buildings if they were to remain.) The facilities which are left in the Valley will be consolidated.
- **Additional funds** to bring Yosemite's water and hotel facilities up to health and safety standards. A recent General Accounting Office report alleges that 19 of the park's 25 water systems do not meet state drinking-water standards. The Service plans to upgrade the water system, but none of the funds to meet the estimated cost of $2.4 million has been appropriated.

The GAO report also charged that the two major hotels in the Park, the Wawona (government-owned, concessionaire-operated) and the Ahwahnee (concessionaire-owned and operated), do not meet National Fire Protection Association standards. The question of the hotels' safety involves a disagreement over whether modern day prescriptive fire safety standards should apply to the old hotels, both of which are historic landmarks. The concessionaire asserts that the report exaggerates the hazards and that their attempts to improve the Ahwanee have been hampered by inconsistent government requests. Money to correct the deficiencies in the government-owned Wawona has not been budgeted. The Service originally estimated that it would cost $3.7 million to bring the hotels up to NFPA standards. Although some work has been completed since the GAO report, the hotels have not yet been reinspected. One of the major uncorrected problems is that the water supply and pressure at the hotels are inadequate for fire suppression.



NATIONAL PARK SERVICE

Supporters of the park's general plan are hoping that the Reagan Administration will implement it. One fear is that the new administration will not openly discard the plan but instead will effectively dismantle it by not requesting the $155 million needed for park facility relocation.

The possibility of increasing entrance fees to offset new costs is impossible since a recent federal statute freezes park entrance fees nationwide to the amount charged in January 1979. Thus, Yosemite Park supporters must shift their attention from planning to fighting for appropriations in Washington, D.C.

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increase park efficiency and thus brighten the revenue picture.

• **How high the fees?** There is general agreement that, without a drastic cutback in costs, park fees will have to be raised to increase revenues. (Fee increases for most uses in state parks have ranged from 67 percent to 200 percent over the past 10 years.) Will visitors accept further fee increases, or will the increases be counterproductive because of reduced attendance? How compatible are fee increases with the the department's urban parks program to serve the disadvantaged?

Steve Larson, executive director of the California Park and Recreation Society, says their members have found that people are resentful when fees are first increased, but that attendance keeps rising. Mott believes there is room for increasing the fees: "People will have to set their priorities and decide whether they will go to a movie or to a comparably priced park."

• **How about concessions?** Increased concession activity within parks is another option for raising department revenues. Up until now, the department has not actively sought out private businesses to provide concessions within the parks, partly to avoid the political wrangling which often develops. What is a convenience to one park visitor may be over-commercialism to another.

Battles over concessions have plagued more than one parks director. William Whalen, director of the National Park Service under President Carter (and a strong supporter of the philosophy of the Yosemite General Plan; see box) was fired primarily because he got into a losing battle with well-entrenched concessionaires who enlisted the aid of powerful members of Congress. Mott's stormiest period as Reagan's director came when he proposed massive concessions development at Point Mugu and Angel Island State Parks. The Point Mugu plan envisioned private developers providing a small shopping center, a wide variety of restaurants and hotels. Responding to the vociferous public outcry, Mott reluctantly scaled down the department's plans.

Contracts between concessionaires and the state vary widely. Last year, the Legislature scrutinized one particularly lucrative concession contract involving the Bazaar del Mundo on park land in San Diego. While revenues from the development approached $10 million, the contract, signed in 1973, only required the concessionaires to pay the state $3,600 a year in rent. The issue attracted special attention because Richard Silberman, former state finance director and a close adviser to Governor Brown, had been half-owner of the concession. The department is attemping to renegotiate the contract.

Another ongoing dispute involves a refreshment stand on the East Peak of Mt. Tamalpais State Park. Local environmental organizations believe that the concession is a violation of the state Public Resources Code. In the proposed general plan for the park, the department's staff recommended that the concession be removed. However, when the plan was reviewed by the State Parks and Recreation Commission, the commission overruled the staff and extended the concessionaire's contract. Ida Berk, chairwoman of the commission, defends their action by saying that it is not improper for the department to provide visitors with a convenient place for refreshments. The Tamalpais Conservation Club and other organizations vow to continue their opposition to the concession. Lenore Bravo, secretary for the Conservation Club, is concerned that entrepreneurs will resurrect a mid-'60s plan to build a restaurant on the East Peak. With the increased emphasis on revenues, she fears that the department may be amenable to such a proposal.

Indeed, the current dispute over Mt. Tamalpais may pale in comparison to those controversies which may result over new concessions development. A departmental task force has recommended study of locating restaurants at Folsom Lake and Crystal Cove State Park, and a lodge or hotel/motel complex with restaurant and related services at Mendocino Headlands, Point Mugu, Calaveras Big Trees, Salt Point and Malibu Creek. These proposals, if accepted by Director Dangermond, are likely to be extremely controversial with both conservationists and local private businesses. One project which the department has already proposed for bond-act funds would provide a site for a restaurant at Morro Bay State Park to complement the marina and 18-hole golf course.

• **What price preservation?** Preserving California's natural heritage is the goal least likely to fit comfortably into the department's new priorities. The acquisition and management of areas valued chiefly for their natural characteristics are often the focal point of department controversies.

In response to the charge of resource degredation in the parks, the department recently completed a survey to designate natural areas which have been damaged yet can be restored; 122 problem areas were identified, including inappropriate development, damage to native plants and erosion. The department estimates that it will cost $17 million over the next nine years to accomplish the restoration which is feasible. It also has launched a cooperative study to aid planners in identifying areas deserving protection and rating new bond-act projects for their natural significance.

• **How much shared use?** More than 70,000 acres of parkland are currently being leased for grazing. Until the department is capable of utilizing newly acquired parkland, the property is under the management of the state Department of General Services. DGS encourages income-producing uses of the property which it manages in order to repay its management expenses and to return money to the state general fund.

Some experts believe that grazing, the most frequent agricultural use, is inconsistent with the preservation of land for state-park use. They assert that grazing practices have halted the reproduction of native oaks because the cattle eat the seeds and destroy native grasses.

Another dispute arose over logging and forest-protection practices last year. Assemblyman Waters, who represents the Calaveras Big Trees State Park area, asked the department to allow removal of beetle-infested sugar pine trees from the park. The department refused, saying that beetle infestation and subsequent death of the trees was a natural process and no threat to nearby commercial timber stands. Waters introduced a bill to require the department to allow removal of the commercially valuable trees. The bill died but a later resolution succeeded. Then-Director Cahill refused to implement the resolution, saying that if he allowed the trees to be removed, he would be abdicating his responsibility to preserve California's natural heritage. Waters is still incensed over the incident. He believes that since private enterprise would not have let the trees fall and rot on the ground, neither should the state park system. He does not believe that natural processes which are "uneconomical" should be allowed to function in a state park. Says Waters, "The state should take a cue from private industry in the management of its resources."

Such pressures on the state park system are increasing, and changes in economic priorities will inevitably influence the department's program. However, Director Dangermond promises that the department will "continue to do what it does well — provide opportunities for people to recreate and preserve California's natural and cultural heritage. The department exists to help realize other people's dreams." But interpreting others' dreams is, at best, a tricky business. And when the department's varied responsibilities pose hard choices, the dreams may sometimes lose out to political realities.

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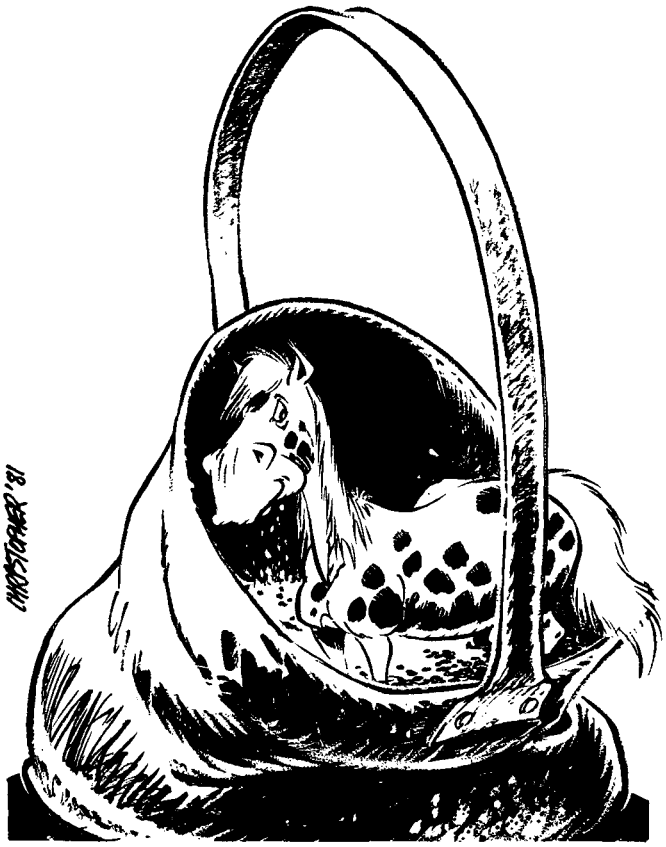
If small is beautiful, why does OAT keep growing?

By PHIL SMITH



On January 1st, the state Office of Appropriate Technology officially came of age. That's when Senate Bill 1725, by state Senator Robert Presley, took effect, providing a statutory basis for OAT. Before then, the agency owed its existence to an executive order signed by Governor Brown.

According to that 1976 order, the office was supposed to "assist and advise the governor and all state agencies in developing and implementing less costly and less energy-intensive technologies of recycling, waste disposal, transportation, agriculture, energy and building design." But OAT's creation almost five years ago was greeted by skepticism and a few hoots. It was perceived as a flaky, counterculture setup to promote Brown's "era-of-limits" ideas. Technology appropriate to what? Was it possible to harness the wind as an alternative and renewable source of energy? Or was Brown just tilting at windmills at the taxpayers' expense?

To OAT's backers, passage of Presley's bill last June marked OAT's entry into the mainstream of California energy policy. The bill had bipartisan support and zipped through the Legislature with little debate. "The law was an affirmation of our success," says Gigi Coe, deputy director of OAT. "We fared well for a group perceived as a pet project of Brown's."

Just what is appropriate technology? Bob Judd, director of OAT, defines it as "a practical approach in problem-solving that has cost-reduction, energy efficiency, local self-reliance and the use of renewable resources as its criteria. The principles of appropriate technology are bipartisan, fiscally conservative and applicable in both institutional and personal choices.

"In our work, we address new economic realities, encourage rational investments in the future, and promote an optimism based on managing change rather than being victimized by it."

Phil Smith is a copy editor at the Sacramento Bee.

OAT started small: It had $25,000 in seed money and a staff of one to work with Sim Van der Ryn, a former state architect. Van der Ryn, who was OAT's first director, preferred to call it the "Office of Common Sense Technology," or the "Office of People Technology." "What we really want to do," Van der Ryn used to say, "is to reach the public with workable ideas on what people can do to save money and energy."

At first, OAT was more a philosophy than an agency — a floating group of gubernatorial appointees, legislative aides and interested civilians. The early staff was perceived by some workers in other state agencies as self-righteous. "These were grassroots environmentalist types who all of a sudden found themselves in the board room," recalls Ann Riley, an environmental planner with the Water Resources Department who, with OAT's help, developed a drought-resistant garden in downtown Sacramento. Riley claims she did most of the organizing and fundraising, yet OAT claimed the credit.

"OAT was viewed as meddlesome at first," concedes Deni Green, director of the Office of Planning and Research, of which OAT is a part. "But the world has changed radically since then. OAT's ideas are now mainstream. Instead of OAT being six steps ahead of everybody else, it is just one step ahead now."

Today, OAT is anything but small. It has a staff of nearly 40 persons and a total budget of nearly $3.2 million, including more than $1 million from the state general fund, about half a million dollars in reimbursements from other state agencies for OAT's work on various projects, and more than $1.5 million from the federal government. The federal dollars support the U.S. Energy Extension Service, an OAT program to provide training, advice and technical assistance on energy conservation and the use of renewable resources.

OAT's current staff is more technically oriented and has more experience dealing with government bureaucracy than its first employees did. Judd's hiring principle (and that of his predecessor, Kirk Marckwald) is to find people who can promote innovation through their own skills. "The per-

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son must be his own project manager, then be able to work with a state agency in implementing a project," Judd says.

Although OAT has grown, its original purpose — advising the governor and state agencies on technical innovations and alternative energy — has changed little. With growth OAT's scope has broadened, too. Major projects under way include:

- **Community Assistance Group.** OAT is working with local governments and community groups in coordinating a variety of projects in waste recycling, food supply, building design and energy and water conservation. One of the group's major undertakings has been publication of "Local Energy Initiatives," a survey of cities and counties in California which have proposed or initiated energy programs.
- **Recycling.** Currently the Community Assistance Group is also working with the city of Berkeley on high-grade-waste landfills. At such landfills, employees are encouraged to take out all recyclable items. The purpose is two-fold: to reduce landfill area and increase interest in recycling.
- **Fuel saving.** Through the federally funded Energy Extension Group, OAT is working on GasCap, a gasoline-saving and safe-driving program aimed at businesses and local governments operating large fleets of vehicles. Organized through West Valley Community College in Santa Clara County, the project hopes to save fleet operators up to 30 percent on their gasoline bills. The program trains the directors of fleet operations in good driving habits, maintenance and selection of more fuel-efficient vehicles; they in turn train their drivers. Similar model programs have been set up in Los Angeles and Chico.
- **Public education.** OAT's Publications and Information Group is responsible for "Present Value, Constructing a Sustainable Future," a glossy, art-filled publication promoting methods for reducing dependence on non-renewable resources. The publication includes photos and drawings of solar-heated homes and solar equipment, articles on waste disposal alternatives and wind energy, and a list of designers and architects involved in such projects. OAT also has published "Organizing For Human Needs," a manual on how to organize a community group, and the "Grants Newsletter," a list of funding programs available from the state for alternative energy sources, energy conservation and community economic development.
- **Toxic waste disposal.** Working with the Department of Health Services, OAT is assembling a four-person team to examine alternatives to landfill disposal of poisonous and radioactive wastes, such as incineration, recycling or exchanging waste and detoxification through chemical and biological treatment. The project has drawn criticism from the legislative analyst's office which says that OAT lacks the expertise for such a high-technology effort. But Kent Stoddard, director of the Toxic Wastes Group, says his team will include an incineration expert, a waste management specialist, a resources economist and a University of California, Davis, professor who will use a computer to analyze the California waste stream and to determine what types of toxics are in the system, where they are coming from and where they are going.

Stoddard believes the solution to toxic wastes will come from technologies already available. "Other states and countries are using things such as incineration," he says. "What we are looking to do is refine the basic technologies."

But the toxics problem won't end with finding new technologies or improving existing ones, he warns. "We have to learn a lesson from the cleanup. We have to be able to look ahead. The worst thing that could happen is for future generations to digress into the mess we find ourselves in."

- **Affordable housing.** OAT has managed a Passive Solar Design Competition for the state Energy Commission — a competition which encountered problems with the rising cost of home building. Now OAT is sponsoring an Affordable Cost Housing Competition, seeking ideas to help close the gap between rising housing costs and static incomes. The competition marks OAT's first major effort to open a dialogue with the business community. Included on the competition's advisory committee are representatives of developers, builders and savings and loan associations. "Innovation can't come about in a vacuum," Judd says. "We must find a medium for translating good ideas into production."

Charting new paths

Like other states agencies, OAT may be forced to operate on a reduced budget next year. Cuts in the federal government's support of the Energy Extension Service and lower reimbursements from other state agencies could reduce OAT's total budget to $2.87 million. But OAT continues to chart new paths in unmapped territories. Judd would like to see his office enter the field of information technology, including home computers and cable television, or what Judd calls interactive television. He also would like to develop microprocessing computer techniques to help evaluate whether proposed building projects comply with state regulations. He visualizes a microdisc that could be used in a small, relatively inexpensive, in-office computer. By feeding building plans into the computer, architects could get back a printout telling them if their designs meet building and energy standards and how the plans could be improved.

Judd also is pushing for construction this year of a resources center in downtown Sacramento, where anyone can obtain information and see demonstrations of affordable energy. Most of all, he says he wants to spread the gospel of energy efficiency and self-reliance. "OAT is carrying out its public trust by making people less dependent on government," Judd says. "We are giving them the tools so they can do it themselves."

Roster Update

The following additions, corrections and revisions should be noted to the **California Journal Roster and Government Guide,** included in the February issue:

On Page 3, the Office of Alcoholism and Drug Abuse Programs has been renamed the Department of Alcohol and Drug Programs. Lynn Shenk is the secretary of the Business, Transportation and Housing Agency.

On Page 5, United States Senator Alan Cranston no longer maintains a San Diego office. The new address for his San Francisco office is 45 Polk St.

On Page 6, Modoc should be added to the list of counties represented by state Senator Ray Johnson.

On Page 11, Assemblyman Richard Katz should be listed as a Democrat.

On Page 12, the district address for Assemblyman Bill Lancaster should be 362 E. Rowland St., Covina. The district address for Assemblyman Lou Papan is 345 Suite E Serramonte Plaza, Daly City.

Throughout the Roster, Assemblywoman Jean Moorhead of Sacramento should be listed as a Democrat. (She has switched parties.)

On Page 14, the new telephone number for the Assembly Judiciary Committee is 445-4560.

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California is off and running toward its official goal of meeting 10 percent of the state's future energy needs from

WIND POWER

By KERRY DRAGER

Last December, for the first time in California's history, public utility customers began receiving part of their power from a wind turbine generator. Southern California Edison Company is running this modern windmill just northwest of Palm Springs. The 191-foot-high, triple-bladed, 3,000-kilowatt unit is expected to save 10,000 barrels of fuel oil annually and to supply electricity for up to 1,000 customers.

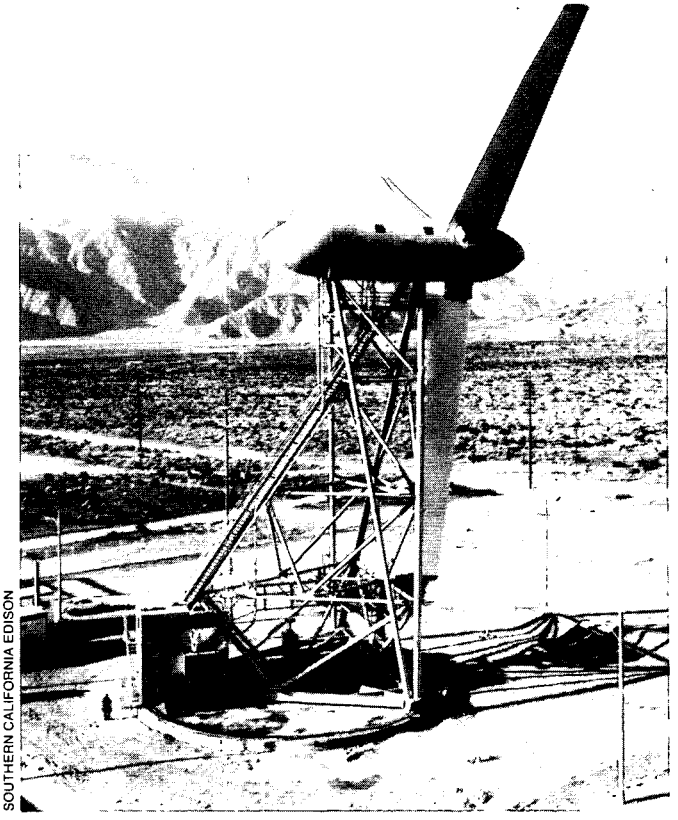
Elsewhere, on a smaller scale, a wind machine provides 20 to 40 percent of a Northern California dairy's power. In operation since last July, it consists of three 16-foot blades atop a 60-foot tower. In addition to supplying power to the dairy, the wind machine feeds unused electricity to Pacific Gas & Electric Company through the utility's grid.

Such harnessing of the wind is hardly new. In 1920, about 1 million windmills were in use in rural America. But, by the 1930s, wind power had gone out of style. Today this clean, renewable energy source is making a comeback — especially in California where the wind often blows long and strong. And state agencies, public utilities and private firms are all getting into the act. While no one suggests that wind will ever meet all of the state's energy needs, most experts agree that wind can contribute to California's future energy mix.

In 1978, Governor Brown signed into law the state wind energy bill (AB 2976, Mello). It set a wind-power goal of meeting 10 percent of California's projected electricity needs by the year 2000. The state Energy Commission projects that, by the mid-1980s, 1 percent of California's electrical energy supply could be produced by large-scale wind energy systems.

Unlike the old windmills that pumped water, modern ones mostly generate electricity. Small-scale wind machines, such as that at Bloom-Willson Dairy in Sonoma County, are sprouting up throughout the state. A similar unit operates at General William Fox Airfield in Los Angeles County. It furnishes up to 18 kilowatts of electricity, equivalent to the energy used by four to five residences. Surplus power is switched into the network of the Edison Company. The project resulted from a joint effort among the state Office of Appropriate Technology (OAT), the Energy Commission and Los Angeles County.

In San Francisco, a firm called Windfarms Limited designs, builds, finances and operates large-scale wind energy projects that sell their electrical output to utilities. Last year, Hawaiian Electric Company and Windfarms signed a contract for what is billed as the world's first large-scale commercial wind system. It will consist of 20 to 35 huge windmills on Oahu and will supply 9 percent of Hawaiian Electric's energy needs. Such clusters of machines in "wind farms" are intended to take advantage of favorable wind conditions and result in lower maintenance, access and transmission costs.



SOUTHERN CALIFORNIA EDISON

Operating windmill, with wood and fiberglass rotor, near Palm Springs

An inverted eggbeater

But it's not just private companies that finance huge wind projects. Edison's turbine generator outside of Palm Springs is only the beginning for the utility. "It will be joined soon by another, which looks like a giant inverted eggbeater and represents a different approach to the problem of converting wind energy to electric energy," says Edison board Chair-

Kerry Drager is a free-lance writer in Sacramento and a frequent contributor to the Journal.

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man William R. Gould. "Further down the road, we expect to explore yet other designs and technologies."

Pacific Gas and Electric Company also has big plans. The windswept hills southwest of Fairfield in Solano County will be the site of the utility's first large wind turbine installation. The $10 million, 2,500-kilowatt generator is expected to be on line by early 1982.

The principal cost in large-scale wind systems is the capital required to purchase and install the turbines and the associated utility transmission lines. Operating and maintenance costs are minimal. And, since wind energy is derived from solar radiation, no fuel is required for operation. If a utility company owns an operating wind farm, the utility throttles back on its oil-fired plants during periods of wind generation. During times of inadequate winds, the oil-fired power plants are brought back on line.

The economic advantages to the state in developing wind energy can be considerable, according to the Energy Commission:

- **Wind-electric energy** could bring savings of more than 50 million barrels of oil per year.
- **Additional economic** advantages will result from reduced construction of new power plants.
- **Commercial installation** of large-scale wind-electric systems are projected to be more cost-effective than fuel used in conventional oil-burning power plants.

Leon Vann, manager of the Energy Commission's small-power producers' office, says that economic analyses indicate that wind is a good investment. "Wind and biomass (biological waste conversion) are the two alternative energy technologies right now that I would say are teetering on the edge of immediate commercial viability," Vann says.

It is not merely large-scale wind operations that are economically feasible, Vann says: "If you have a windmill sitting on your property, the cost of wind isn't going to go up," he notes. " The only things subject to inflation in your power production are your maintenance and operating costs. In some ways, wind can be viewed as a hedge against inflation."

Windmills will probably never gain popularity in residential areas. Most of the winds in California are in remote regions, such as mountain tops, deserts and mountain passes, where population normally is sparse.

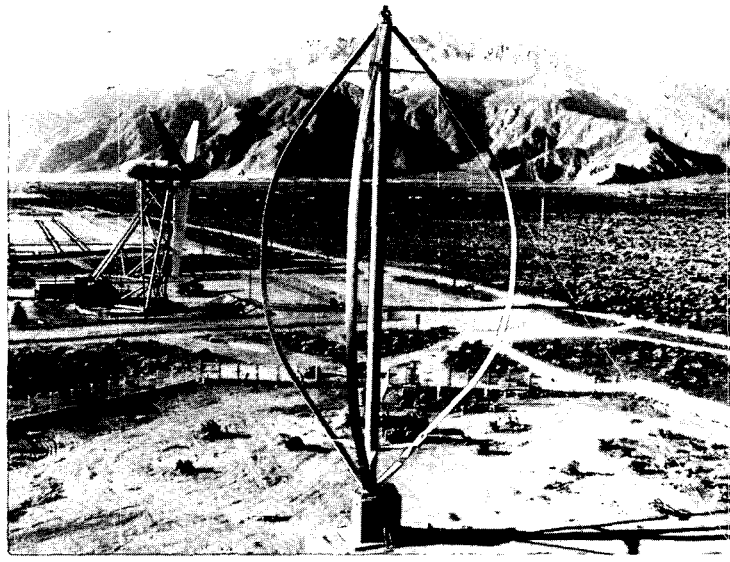
Philip Leen operates ENERSPEC, a Sacramento area-based firm that sells, repairs and installs windmills. He agrees that the prospects are dim for the widespread use of residential wind installations. Small windmills cost up to $10,000 or more to install and are rated at winds of at least 20 miles per hour for full output, he says. "They don't even cut in until 8 to 10 miles per hour." Other drawbacks to residential wind power: conversion of wind-generated direct current to alternating current, city building codes (wind units can reach heights of 80 to 100 feet) and servicing. Says Leen, "Your average homeowner sure as heck isn't going to climb up 80-foot towers to grease the parts."

Small operators

State and federal tax credits for installing a wind machine, and the federal Public Utility Regulatory Policies Act add to wind's feasibility. PURPA guidelines require public utilities to purchase energy from a qualified small-power producer at a price roughly equivalent to the cost the utilities would have incurred in producing it themselves. A wind-electric system owner "can sell that electricity to the utility at low-use times," says Leen. "It makes the economics of wind look a lot sweeter."

But Randall Tinkerman, direct of the Transition Energy Projects Institute of San Francisco, believes that if renewable energy technology makes headway in California, it will only be if the utilities can own them. "They do not want to buy electricity from thousands of wind farmers and solar farmers," Tinkerman says. "They don't make any money."

While most urban areas lack adequate wind, other areas have plenty. San Gorgonio Pass (the location of Edison's Wind Energy Center) is considered one of the best sites in the nation. Consequently, Edison and the Energy Commission are conducting a comprehensive resource assessment for a wind farm there. Also in Southern California, other desert regions have excellent wind energy potential, and the expected maximum power from the wind coincides with the summer peak demand. Still more strong wind areas include the Tehachapi Mountains and the Carquinez Straits east of San Francisco. The Energy Commission and PG&E are also jointly evaluating the wind potential in parts of Solano and Alameda counties.



SOUTHERN CALIFORNIA EDISON

Southern California Edison's "egg-beater" generator

Some wind specialists are looking to the ocean. Tinkerman envisions a series of windmills atop 200- to 500-foot-high floating towers 25 miles out to sea. Electricity would be returned by underwater cables for onshore use. Besides the direct production of electricity, these wind farms off San Francisco's coast would produce hydrogen. "The development of hydrogen from sea water would be used as liquid fuel to substitute for petroleum products," Tinkerman says.

Potential problems

The development of wind energy may prompt problems. "Wind is not totally benign," points out Vann of the Energy Commission. "No technology is totally benign. But the environmental issues associated with wind are less than are associated with most other energy sources."

Some possible problems in developing wind energy:

- **Safety.** Tower collapse or rotor blade failure are two potential hazards. But good design, proper maintenance and remote siting can ease such worries, reports the Electric Power Research Institute (EPRI) of Palo Alto.
- **Land use.** "It appears that windmills will be compatible with multiple use of land," says Vann. "A field with a windmill in the middle of it may still be very appropriate for grazing or farming. But once you've put down, say, a coal plant, that's all that's going to be on the site."
- **Bird migration.** Bird kill may result if a wind farm is placed in a migratory corridor. Studies are underway to determine if birds perceive wind turbines as solid objects and fly around them or whether they might fly into the blades.
- **Noise.** To a large extent, the noise of wind turbines can be engineered out. And, notes EPRI, tests indicate that

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sound-intensity levels will be tolerable even in areas relatively close to big systems.

- **Visual blight.** City codes may prevent 80- to 100-foot wind machine towers from popping up like television antennas in residential areas. But how will people respond to clusters of 25, 50 or more turbines the size of 20-story buildings? One answer — remote siting — raises another issue. While wind farms may be far removed from the mass public, many of California's best wind sites are in scenic wilderness areas.

Offshore wind farms could be located out of sight beyond the horizon. 'We're not saying these should supplant onshore systems," Tinkerman says. "But, by developing offshore sites, onshore wind power does not have to be developed in environmentally sensitive areas."

There may be opposition to offshore installations, however. Companies that are basing their future existence on offshore oil development would not be particularly eager to compete with another offshore technology, Tinkerman says. "They're not interested in giving up their position as the purveyors of American energy development." Likewise, he adds, the state has focused on utility development of wind energy to the detriment of the private developer in wind.

Others, however, see the utilities as the key to wind's becoming an energy force in the state. "They can do the maximum good in wind energy and other alternative sources due to the economy of large-scale systems," says wind specialist Mat Ginosar of Sacramento. "Small individual systems are desirable, but unfortunately cannot make much contribution to the total wind picture in California, because the winds are mostly in remote regions and the population is in completely different areas. Therefore, let's utilize the utilities' large-scale wind systems in order to save oil and generate electricity more economically."

One hindrance to the development of big wind systems is the lack of incentives to the utilities, says Ginosar. There are potential benefits to society from oil savings and pollution reduction and to the ratepayers from lower electricity costs, he notes, "but not to the utilities that must implement this technology. Sharing the economical benefits of wind energy with the utilities during the initial risky period may speed up its adoption."

Most wind experts say California is well on the way to meeting its 10 percent goal. Says Gene C. Valentine of Windfarms Limited: "The risks are minor compared to some of the other alternatives — coal, diesel, nuclear. Wind is pretty clean, environmentally. While it may not solve the energy crisis, wind should at least be able to ease it some."

AWARD WINNER:

THE CALIFORNIA JOURNAL ROSTER & GOVERNMENT GUIDE

Last year's edition of the **California Journal Roster and Government Guide** won a "Maggie" from the Western Publications Association as the best directory in this section of the country. And it also sold more copies than ever.

This year's **Roster** is in even greater demand because there have been wholesale changes in the state's political lineup as a result of last November's election and legislative leadership changes. The **Roster** is the most convenient and most economical directory providing the names and numbers of the players in the state government game.

Because of a heavy rush of orders, we recommend that organizations place their orders now to avoid the possibility of disappointment.

The 12-page booklet contains the names, addresses and telephone numbers of all Californians in Congress, members of the state Legislature, statewide elected officials and each major department in California government, as well as information on legislative committees, a legislative process chart, and much more material of use to anyone coming into contact with any branch of state government.

The **Roster** is still the biggest bargain in state government publications and the prices are the same as last year: 100 or more copies, 25 cents each; 50-99 copies, 35 cents each; 1-49 copies, 45 cents each; 2-9 copies, 60 cents each; single copy, $1. Add 6 percent sales tax to all but single-copy orders. Postage and handling are free on orders paid by check, Visa or MasterCard.

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CHARTING THE LEGISLATURE

The following is a list of significant bills pending before the Legislature in mid-March.

ATTORNEYS

AB 363 (McAlister). Prohibits the use of mandatory State Bar dues to finance lobbying activities except on those matters relating to membership dues or amendment of the State Bar Act. *(Assembly Judiciary Committee)*

CHILD ABUSE

AB 518 (Kapiloff)/AB 635 (Berman)/SB 322 (Rains). All of these measures amend a 1980 law to repeal the requirement that health professionals report known or suspected instances of consensual sexual intercourse with a minor. *(AB 518 is on the Assembly floor; AB 635 is in the Assembly Criminal Justice Committee; SB 322 is in the Senate Judiciary Committee.)*

COURTS

ACA 21 (Wyman)/ACA 28 (Cramer). Constitutional amendments to abolish the Commission on Judicial Appointments and to require Senate confirmation of the governor's appointments to the Supreme Court and courts of appeal. *(Both measures are pending in the Assembly Judiciary Committee.)*

ACA 23 (Wyman). Constitutional amendment removing the authority of the chief justice to appoint members of the Judicial Council and transferring authority for the assignment of judges from the chief justice to the Judicial Council. *(Assembly Judiciary Committee)*

CRIMINAL JUSTICE

SB 209 (Marks)/AB 303 (Sher)/AB 371 (Lockyer)/AB 406 (Agnos). Would remove the three-year limitation on the time within which a prosecution for rape and other specified offenses must be commenced. *(SB 209 is in the Senate Judiciary Committee; Assembly measures are in the Assembly Criminal Justice Committee.)*

SB 54 (Roberti). Repeals the defense of voluntary intoxication and the defense of diminished capacity; repeals the plea of not guilty by reason of insanity. *(Senate Judiciary Committee)*

AB 408 (D. Stirling). Imposes a term of life imprisonment in addition and consecutive to the determinate sentence in cases where great bodily injury is inflicted. *(Assembly Criminal Justice Committee)*

EDUCATION

AB 777 (Greene). Major school finance measure to provide a 10 percent increase in the average school district's revenue limit for the 1981-82 fiscal year. Would provide an additional $330 million in funding for schools. *(Assembly Education Committee)*

SCA 15 (Speraw). Constitutional amendment declaring that financial support for the state's public school system be the highest priority of state government and requires state revenues to be allocated annually to the public schools before any other state program is funded. *(Senate Rules Committee)*

EMPLOYMENT

AB 537 (Frizzelle). Appropriates unspecified amount for cost-of-living salary increases to state employees. *(Assembly Public Employees and Retirement Committee)*

GRP 1. Governor's Reorganization Plan No. 1. Creates a Department of Personnel Administration to administer the non-merit aspects of state employment and provides that the State Personnel Board would retain authority to administer the state civil service merit system. *(Legislature has 60 days to approve or disapprove plan.)*

HEALTH CARE

SB 368 (Greene)/AB 610 (Berman). SB 368 would require a physician to make a patient's medical records available upon the patient's request. AB 610 would guarantee patients and former patients the right to inspect their medical records. *(SB 368 is in the Senate Judiciary Committee; AB 610 is in the Assembly Health Committee.)*

HOUSING

AB 256 (McCarthy). Prohibits discrimination in the rental or leasing of housing accommodations on the basis of whether a prospective tenant has children. *(Assembly Housing and Community Development Committee.)*

JUVENILE JUSTICE

SB 264 (Nielsen). Establishes a separate state prison for minors, permits minors 14 to 16 to be tried as adults, and includes commitments to the California Youth Authority as prior prison terms. *(Senate Judiciary Committee)*

AB 23 (Felando). Lowers from 16 to 13 the age at which a juvenile offender may be tried as an adult if certain findings are made by the juvenile court. *(Assembly Criminal Justice Committee)*

LEGISLATIVE PROCESS

HR 8 (Papan). Would prohibit the practice of "ghost voting" in the Assembly and prohibit members from adding their names to roll calls unless unanimous consent is granted or Assembly rules are suspended by a two-thirds vote. *(Adopted)*

ACR 1 (Statham)/ACR 2 (Johnson)/ACR 4 (Farr)/ACR 12 (Hallett). Except for ACR 4, all measures would limit the number of bills a legislator could introduce during the two-year session to 40 for Assembly members and 65 for Senate members. ACR 4's limit is 35 for all members. *(Assembly Rules Committee)*

MENTAL HEALTH

AB 603 (Duffy). Establishes statutory authority for a court of competent jurisdiction to authorize, pursuant to a conservatorship or guardianship, the sterilization of incompetent persons unable to give informed consent. *(Assembly Health Committee)*

AB 595 (Bates). Establishes a Client's Rights Office in the Department of Mental Health to insure the rights of patients in state hospitals, mental health facilities, and community care facilities. *(Assembly Health Committee)*

PENSION REFORM

AB 148 (Hallett). Prohibits a retired pubic employee or official from receiving a pension which is higher than the salary for the position held. *(Assembly Public Employees and Retirement Committee)*

PUBLIC ASSISTANCE

AB 158 (Levine)/AB 180 (Kapiloff)/AB 195 (Rosenthal)/AB 214 (Papan)/AB 339 (Bane)/SB 93 (Mello)/SB 100 (Rains)/SB 138 (Marks). All of these measures repeal the reduction in benefit levels for SSI/SSP recipients or AFDC recipients or both. *(Assembly bills are pending in the Assembly Human Services Committee; SB 93 and SB 138 are in the Senate Health and Welfare Committee; SB 100 is in the Senate Finance Committee.)*

AB 317 (Leonard)/SB 29 (Campbell). Repeals annual cost-of-living increases for recipients of AFDC and SSI/SSP. *(AB 317 is in the Assembly Ways and Means Committee; SB 29 is in the Senate Governmental Organization Committee.)*

TAXATION

SCA 16 (Boatwright). Constitutional amendment to increase the state sales and use tax to finance local government fire and police services. *(Senate Revenue and Taxation Committee)*

AB 579 (Leonard). Revises the general tax rate for corporations other than banks and financial corporations to 3 percent of the first $25,000 of net income, 4 percent for net income of $25,000 to $50,000, 5 percent for net income of $50,000 to $75,000, 7 percent for net income of $75,000 to $100.000, and 9 percent for net income in excess of $100,000. *(Assembly Revenue and Taxation Committee)*

TORT REFORM

AB 311 (McAlister). Would reform the civil liability system by applying reforms already adopted for medical malpractice actions to all negligence actions. *(Assembly Judiciary Committee)*

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By Leo Rennert

Reagan: Act One

If you judge only by surface appearances, Ronald Reagan's presidency is off to an impressive start. The post-inauguration honeymoon has lasted longer than expected. Public opinion polls show the president riding a high crest of approbation. Most of the media are still in the cheering section. Californians dominate the Washington social circuit. Democrats are in no mood for head-on confrontations. Most importantly, Reagan seized the high ground by moving swiftly to enact conservative reforms at home and to shape a tougher U.S. stance abroad.

YES, THESE HAVE BEEN HEADY DAYS for the president and his top lieutenants. There probably hasn't been as much exuberance about a new administration since John Kennedy and Camelot. But contemporary events don't usually follow a Hollywood script. Special interest groups are mobilizing against budget cuts. There's a growing feeling on Capitol Hill — even among Republicans — that Reagan's supply-side economics may not work. El Salvador has revived bad memories of Vietnam. Inside the administration, there have been bloody fights over the filling of key posts and the carving out of power jurisdictions among top players. There is unease in GOP congressional ranks — particularly in the House — that the party could suffer in 1982 if Reagan fails to produce quick results on the economic front.

The president himself gives every appearance of remaining above such concerns. By nature an optimist, he is at ease with his new domestic and foreign policies. If something goes wrong, he still has the luxury of blaming Jimmy Carter — whether it's double-digit inflation or U.S. involvement in Central America. Reagan has mapped out a long-term agenda and is inclined to shrug off short-term obstacles that get in the way. He operates on a lofty plane and leaves to others the task of coping with nasty, down-to-earth details. In many respects, Reagan is running the government as if he were still on the campaign trail — with a barrage of great rhetorical exhortations. While it's true that he calls the basic policy shots, decision-making in the White House is more a filtering-up than a filtering-down process. The president doesn't like to get into the trenches to resolve personnel feuds or policy fights. He prefers to see disagreements resolved at lower levels, leaving him free to preside at fairly harmonious cabinet sessions and to ratify consensus decisions hammered out by trusted subordinates.

Nobody understands this better than Ed Meese, who has moved with great ease into the most powerful position on the White House staff. It may be a caricature to suggest that the Reagan-Meese relationship is akin to that of monarch and prime minister. Reagan entered the White House with decided views about where he wants to take the nation in the 1980s. But policy objectives are one thing; putting them into effect is quite another. And that's where Meese's role can hardly be overstated. From his Sacramento days as Reagan's gubernatorial chief of staff, Meese has developed an uncanny talent of sorting things out neatly for the boss and letting Reagan take all the credit. Add to this an unquestioned loyalty to Reagan and complete faith by the president in his top subordinate, and the result spells pre-eminent power and influence in the White House pecking order.

Meese's authority radiates throughout the entire executive branch. Despite a lot of talk about cabinet government, basic decisions are made in and by the White House. Even as forceful a personality as Secretary of State Alexander Haig found out the hard way that Meese controls the real levers of power. Immediately after the inauguration, Haig tried to establish his own supremacy in the foreign-policy field. But he was immediately slowed down and eventually blocked by Meese. When the dust settled, international security matters were divided among Haig, Defense Secretary Caspar Weinberger and CIA Director William Casey. Presidential security adviser Richard Allen has the job of coordinating the entire process. And Allen works directly under Meese.

A similar chain of command has evolved on the domestic side, where Meese also controls the gates to presidential decision-making. The cabinet is not an impressive or forceful lot — except for Budget Director David Stockman, a true star in the Reagan firmament, and some old California hands like Weinberger at the Pentagon and William French Smith at Justice. Senator William Proxmire of Wisconsin, a Stockman admirer, says the rest of the cabinet reminds him of Dorothy Parker's remark when news reached her that Calvin Coolidge had died. "How could they tell?" she asked. The cabinet's so-so caliber has strengthened Meese's hand. He also managed to extend his web of authority into the departments by placing loyal California associates into key sub-cabinet posts — William Clark at State, Richard Lyng at Agriculture, Dave Swoap at Health and Human Services. The "California Mafia" is firmly in the saddle — with Meese holding the reins.

Another Californian who's riding high is Lyn Nofziger, Reagan's former press secretary and long-time political adviser. Nofziger has taken command of the political chores — particularly the administration's somewhat turbulent relations with the far right. He has had success in slowing Reagan's drift toward the center and in rewarding conservatives with many key policy-making slots. Nofziger sees himself as a two-way bridge between Reagan and the Reaganites — with an obligation to keep their agenda before the president and to retain their enthusiasm and loyalty for Reagan's upcoming battles on Capitol Hill and, beyond that, for the 1982 and 1984 election campaigns.

NOFZIGER KNOWS MORE DIFFICULT DAYS lie ahead and he wants to keep the troops fired up. He has kept a recent letter from Richard Nixon, an authority on political debacles. "Things are going beautifully right now," Nixon wrote Nofziger, "but you know your media 'friends' and those 'beautiful people' from the Washington establishment who are fawning over our man now because he is a winner will turn on him viciously when the going gets rough. In their hearts, they just don't share his views and they are just waiting for the day when they can safely attack him again."

Strip away the usual Nixon paranoia, and the basic political assessment is right on the mark.

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The party that does not represent the majority cannot long represent the minority.

— John F. Kennedy

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